

1-1 By: Nelson S.B. No. 56  
1-2 (In the Senate - Filed November 8, 2004; January 31, 2005,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 March 31, 2005, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; March 31, 2005,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 56 By: Whitmire

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to requiring notice before the amount of bail set in  
1-11 certain cases is reduced.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 17, Code of Criminal Procedure, is  
1-14 amended by adding Article 17.091 to read as follows:

1-15 Art. 17.091. NOTICE OF CERTAIN BAIL REDUCTIONS REQUIRED.  
1-16 Before a judge or magistrate reduces the amount of bail set for a  
1-17 defendant charged with an offense listed in Section 3g, Article  
1-18 42.12, or an offense described by Article 62.01(5), the judge or  
1-19 magistrate shall provide:

1-20 (1) to the attorney representing the state, reasonable  
1-21 notice of the proposed bail reduction; and

1-22 (2) on request of the attorney representing the state  
1-23 or the defendant or the defendant's counsel, an opportunity for a  
1-24 hearing concerning the proposed bail reduction.

1-25 SECTION 2. This Act takes effect September 1, 2005.

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