

1-1 By: Staples S.B. No. 599
1-2 (In the Senate - Filed February 18, 2005; March 1, 2005,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 March 30, 2005, reported favorably by the following vote: Yeas 4,
1-5 Nays 0; March 30, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the eligibility of a criminal defendant for release
1-9 from jail after a delay in prosecution.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 2, Article 17.151, Code of Criminal
1-12 Procedure, is amended to read as follows:

1-13 Sec. 2. The provisions of this article do not apply to a
1-14 defendant who is:

1-15 (1) serving a sentence of imprisonment for another
1-16 offense while the defendant [~~he~~] is serving that sentence;

1-17 (2) being detained pending trial of another accusation
1-18 against the defendant [~~him~~] as to which the applicable period has
1-19 not yet elapsed; [~~or~~]

1-20 (3) incompetent to stand trial, during the period of
1-21 the defendant's [~~his~~] incompetence; or

1-22 (4) being detained for a violation of the conditions
1-23 of a previous release under this article.

1-24 SECTION 2. Section 3, Article 17.151, Code of Criminal
1-25 Procedure, is repealed.

1-26 SECTION 3. This Act applies only to a person who is arrested
1-27 on or after the effective date of this Act, regardless of when the
1-28 offense giving rise to the arrest was committed. A person who is
1-29 arrested before the effective date of this Act is governed by the
1-30 law in effect at the time of the arrest, and the former law is
1-31 continued in effect for that purpose.

1-32 SECTION 4. This Act takes effect September 1, 2005.

1-33 * * * * *