

BILL ANALYSIS

Senate Research Center
80R12405 HLT-D

H.B. 541
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, county jails are overcrowded with defendants awaiting a probation revocation hearing and a possible transfer to a state facility, referred to as blue warrants. County jails are faced with having these state inmates remanded to their jail facilities for excessive periods of time, pending their parole hearings. The increase of the blue warrant population in many county jails has increased county jail operating costs and contributed to an increase in the overall jail population.

H.B. 541 authorizes certain persons charged with certain violations of conditional release from a Texas Department of Criminal Justice correctional facility on parole or mandatory supervision to post bond pending their revocation hearings.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 508.254, Government Code, by amending Subsection (c) and adding Subsections (d), (e), and (f), as follows:

(c) Makes a conforming change.

(d) Authorizes a magistrate of the county in which the person is held in custody to release the person on bond pending the hearing if certain conditions are met.

(e) Requires the pardons and paroles division (division) to include a notice on the warrant for the person's arrest indicating that the person is eligible for release on bond under Subsection (d) if the division makes certain determinations about the person.

(f) Provides that the provisions of Chapters 17 (Bail) and 22 (Forfeiture of Bail), Code of Criminal Procedure, apply to a person released under Subsection (d) in the same manner as those provisions apply to a person released pending an appearance before a court or magistrate, except that the release under that subsection is conditioned on the person's appearance at a hearing under this subchapter (Warrants).

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.