

BILL ANALYSIS

Senate Research Center
80R10717 SLO-F

H.B. 1158
By: Goolsby (Carona)
Criminal Justice
5/17/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the clerk of the court is directed to provide notice to the surety at the address shown on the face of the bond. Frequently, the address shown on the face of the bond is inaccurate due to the surety relocating without providing an updated address. The result is that notices are often returned to the clerk of the court as undeliverable which causes a delay in the process and an unnecessary use of the process server's time.

H.B. 1158 directs the clerk of the court to serve the individual on at the address shown on the face of the bond or at the last known address of the individual in order to provide more accurate notice without delay. The county will recognize a savings in the form of postage and manpower spent in preparing citations and serving notice.

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 Article 22.03(b), Code of Criminal Procedure, to require a citation to a surety who is an individual to be served to the individual at the address shown on the face of the bond or the last known address of the individual.

SECTION 2. Amends Chapter 22, Code of Criminal Procedure, by adding Article 22.035, as follows:

Art. 22.035. CITATION TO DEFENDANT POSTING CASH BOND. Requires a citation to a defendant who posted a cash bond to be served to the defendant at the address shown on the face of the bond or the last known address of the defendant.

SECTION 3. Amends Article 22.05, Code of Criminal Procedure, to make a conforming change.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2007.