

## **BILL ANALYSIS**

C.S.H.B. 1158  
By: Goolsby  
Criminal Jurisprudence  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

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.

C.S.H.B. 1158 amends the Code of Criminal Procedure by directing the clerk 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**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1158 amends the Code of Criminal Procedure to provide that a citation to a surety who is an individual must be served to the individual at the address shown on the face of the bond or the individual's last known address.

The bill also provides that a citation to a defendant who posted a cash bond is required to be served to the defendant at the address shown on the face of the bond or the last known address of the defendant.

The bill adds that notice to the defendant can also be directed to the defendant at the last known address of the defendant.

Makes application of this Act prospective.

### **EFFECTIVE DATE**

September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute allows a citation or notice under Articles 22.03(b), 22.035 or 22.05, Code of Criminal Procedure, to be served at either the individual's address shown on the face of the bond or the individual's last known address. The original bill allowed service only to the individual's last known address.