

By: Farrar

H.B. No. 298

A BILL TO BE ENTITLED

AN ACT

relating to the use of bail bond costs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 41.258(f), (g), and (i), Government Code, are amended to read as follows:

(f) A surety paying a cost under Subsection (b) may apply for and is entitled to a refund of 90 percent of the cost not later than the 181st day after the date the state declines to prosecute an individual or the grand jury declines to indict an individual. The remainder of the cost is a nonrefundable administrative cost.

(g) The comptroller shall distribute [A county may retain] 10 percent of the funds collected under this section to the county treasurers to be used for continuing education for county treasurers. Each county treasurer must receive sufficient funds to meet the minimum continuing education requirements under Section 83.003, Local Government Code, before additional funds may be awarded to a county treasurer for education that exceeds the minimum requirement [and may also retain all interest accrued on the funds if the custodian of the treasury:

[(1) keeps records of the amount of funds on deposit, and

[(2) remits the funds to the comptroller as prescribed by Subsection (e)] .

(i) The comptroller shall deposit 60 percent [~~two-thirds~~]

1 of the funds received under this section in the felony prosecutor
2 supplement fund and 30 percent [~~one-third~~] of the funds received
3 under this section to the fair defense account. A county may not
4 reduce the amount of funds provided for indigent defense services
5 in the county because of funds provided under this subsection.

6 SECTION 2. The change in law made by this Act applies to a
7 bail bond cost paid on or after the effective date of this Act. A
8 bail bond cost paid before the effective date of this Act is covered
9 by the law in effect on the date the bail bond cost is paid, and the
10 former law is continued in effect for that purpose.

11 SECTION 3. This Act takes effect September 1, 2007.