

By: Goolsby

H.B. No. 1158

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the address to which notice of the forfeiture of a bail
3 bond is delivered.

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

5 SECTION 1. Article 22.03(b), Code of Criminal Procedure, is
6 amended to read as follows:

7 (b) A citation to a surety who is an individual shall be
8 served to the individual at the last known address of the individual
9 ~~[shown on the face of the bond]~~.

10 SECTION 2. Chapter 22, Code of Criminal Procedure, is
11 amended by adding Article 22.035 to read as follows:

12 Art. 22.035. CITATION TO DEFENDANT POSTING CASH BOND. A
13 citation to a defendant who posted a cash bond shall be served to
14 the defendant at the last known address of the defendant.

15 SECTION 3. Article 22.05, Code of Criminal Procedure, is
16 amended to read as follows:

17 Art. 22.05. CITATION AS IN CIVIL ACTIONS. If service of
18 citation is not waived under Article 22.03, a surety is entitled to
19 notice by service of citation, the length of time and in the manner
20 required in civil actions; and the officer executing the citation
21 shall return the same as in civil actions. It shall not be
22 necessary to give notice to the defendant unless he has furnished
23 his address ~~[on the bond]~~, in which event notice to the defendant
24 shall be deposited in the United States mail directed to the

1 defendant at the last known address of the defendant [~~shown on the~~
2 ~~bond~~].

3 SECTION 4. The changes in law made by this Act apply only to
4 a citation of forfeiture issued on or after the effective date of
5 this Act. A citation of forfeiture issued before the effective date
6 of this Act is governed by the law in effect on the date the citation
7 of forfeiture is issued, and the former law is continued in effect
8 for that purpose.

9 SECTION 5. This Act takes effect September 1, 2007.