

By: Alonzo

H.B. No. 2674

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the applicability of hearsay rules in proceedings
3 regarding bail.

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

5 SECTION 1. Chapter 38, Code of Criminal Procedure, is
6 amended by adding Article 38.45 to read as follows:

7 Art. 38.45. APPLICABILITY OF HEARSAY RULES IN PROCEEDINGS
8 REGARDING BAIL. Notwithstanding Rule 101(d)(1)(E), Texas Rules of
9 Evidence, Article VIII of those rules applies to proceedings
10 regarding bail.

11 SECTION 2. This Act applies only to a proceeding regarding
12 bail that is conducted on or after the effective date of this Act,
13 regardless of when the defendant committed the underlying offense
14 for which the defendant became subject to the proceeding. A
15 proceeding regarding bail conducted before the effective date of
16 this Act is governed by the law in effect at the time of the
17 proceeding, and the former law is continued in effect for that
18 purpose.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2007.