

1-1 By: Duncan S.B. No. 1428
1-2 (In the Senate - Filed March 8, 2007; March 20, 2007, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 25, 2007, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; April 25, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the arrest and commitment of certain individuals
1-9 arrested under a warrant issued because of a violation of the
1-10 conditions of parole.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (a), Article 15.19, Code of Criminal
1-13 Procedure, is amended to read as follows:

1-14 (a) If the arrested person [~~accused~~] fails or refuses to
1-15 give bail, as provided in [~~the preceding~~] Article 15.18, the
1-16 arrested person [~~he~~] shall be committed to the jail of the county
1-17 where the person [~~he~~] was arrested; and the magistrate committing
1-18 the arrested person [~~him~~] shall immediately provide notice to
1-19 [~~notify~~] the sheriff of the county in which the offense is alleged
1-20 to have been committed regarding:

1-21 (1) [~~of~~] the arrest and commitment, which notice may
1-22 be given by telegraph, [~~by~~] mail, or [~~by~~] other written means; and

1-23 (2) whether the person was also arrested under a
1-24 warrant issued under Section 508.251, Government Code [~~notice~~].

1-25 SECTION 2. Article 15.20, Code of Criminal Procedure, is
1-26 amended to read as follows:

1-27 Art. 15.20. DUTY OF SHERIFF RECEIVING
1-28 NOTICE. (a) Subject to Subsection (b), the [~~The~~] sheriff
1-29 receiving the notice of arrest and commitment under Article 15.19
1-30 shall forthwith go or send for the arrested person [~~prisoner~~] and
1-31 have the arrested person [~~him~~] brought before the proper court or
1-32 magistrate.

1-33 (b) A sheriff who receives notice under Article 15.19(a)(2)
1-34 of a warrant issued under Section 508.251, Government Code, shall
1-35 have the arrested person brought before the proper magistrate or
1-36 court before the 11th day after the date the person is committed to
1-37 the jail of the county in which the person was arrested.

1-38 SECTION 3. Article 15.21, Code of Criminal Procedure, is
1-39 amended to read as follows:

1-40 Art. 15.21. PRISONER DISCHARGED IF NOT TIMELY DEMANDED. If
1-41 the proper office of the county where the offense is alleged to have
1-42 been committed does not demand the arrested person [~~prisoner~~] and
1-43 take charge of the arrested person before the 11th day after the
1-44 date the person [~~him within ten days from the day he~~] is committed
1-45 to the jail of the county in which the person is arrested, the
1-46 arrested person [~~such prisoner~~] shall be discharged from custody.

1-47 SECTION 4. The change in law made by this Act applies only
1-48 to a person who, on or after the effective date of this Act, is
1-49 arrested under a warrant, regardless of the date on which the
1-50 warrant under which the person is arrested was issued.

1-51 SECTION 5. This Act takes effect September 1, 2007.

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