

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 7, 2007**

**TO:** Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB3305** by Pena (Relating to personal and monetary bail bond requests.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure to authorize only a district judge to release on personal bond a defendant charged with a felony, and would specify, with exceptions, certain offenses for which the judge would not be allowed to release the defendant on personal bond. Under current statute, the court before whom the case is pending may release a defendant on personal bond for those offenses that under the provisions of the bill would not be eligible for release on personal bond.

The bill would require a district judge, with approval of the commissioners court in each county of the district, to establish a set of eligibility criteria that must be met before a defendant charged with a misdemeanor may be released on personal bond.

The bill would also require in each county the judges of the county courts that have criminal jurisdiction to adopt a schedule of preapproved bail amounts for all misdemeanor offenses pending in that county. In each judicial district, the judges of the district courts would be required to adopt a schedule of preapproved bail amounts for all felony offenses pending in the district.

The provisions of the bill would apply only to a request for bond submitted on or after the effective date of the bill, which would be September 1, 2007.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** JOB, ES, DB