

By: Morrison

H.B. No. 2423

A BILL TO BE ENTITLED

AN ACT

relating to the procedures governing certain bail bonds.

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

SECTION 1. Article 17.02, Code of Criminal Procedure, is amended to read as follows:

Art. 17.02. DEFINITION OF "BAIL BOND". A "bail bond" is a written undertaking entered into by the defendant and the defendant's [~~his~~] sureties for the appearance of the principal therein before some court or magistrate to answer a criminal accusation; provided, however, that, on execution of the bail bond, the defendant or another person on behalf of the defendant [~~upon execution of such bail bond~~] may deposit with the custodian of funds of the court in which the prosecution is pending current money of the United States in the amount of the bond in lieu of having sureties signing the same. Any cash funds deposited under this Article shall be receipted for by the officer receiving the same and, on order of the court, shall be refunded to the person who made the deposit [~~defendant~~] if and when the defendant complies with the conditions of the defendant's [~~his~~] bond [~~, and upon order of the court~~].

SECTION 2. The change in law made by this Act applies only to a bail bond that is executed on or after the effective date of this Act. A bail bond that was executed before the effective date of this Act is governed by the law in effect when the bail bond was

1 executed, and the former law is continued in effect for that
2 purpose.

3 SECTION 3. This Act takes effect September 1, 2009.