

By: Carona

S.B. No. 415

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the court in which certain persons charged with
3 misdemeanors punishable by fine only may be arraigned.

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

5 SECTION 1. Subsection (b), Article 15.17, Code of Criminal
6 Procedure, is amended to read as follows:

7 (b) After an accused charged with a misdemeanor punishable
8 by fine only is taken before a magistrate under Subsection (a) [~~of~~
9 ~~this article~~] and the magistrate has identified the accused with
10 certainty, the magistrate may release the accused without bond and
11 order the accused to appear at a later date for arraignment in the
12 applicable justice [~~county~~] court or municipal [~~statutory county~~]
13 court. The order must state in writing the time, date, and place of
14 the arraignment, and the magistrate must sign the order. The
15 accused shall receive a copy of the order on release. If an accused
16 fails to appear as required by the order, the judge of the court in
17 which the accused is required to appear shall issue a warrant for
18 the arrest of the accused. If the accused is arrested and brought
19 before the judge, the judge may admit the accused to bail, and in
20 admitting the accused to bail, the judge should set as the amount of
21 bail an amount double that generally set for the offense for which
22 the accused was arrested. This subsection does not apply to an
23 accused who has previously been convicted of a felony or a
24 misdemeanor other than a misdemeanor punishable by fine only.

1 SECTION 2. This Act takes effect September 1, 2009.