

BILL ANALYSIS

S.B. 882
By: Whitmire
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Chapter 17 (Bail), Code of Criminal Procedure, authorizes counties to create personal bond pretrial release offices to give judges another tool to utilize for the purpose of releasing individuals from jail. To provide oversight for these officers, Article 17.42 (Personal Bond Office), Code of Criminal Procedure, requires certain monthly reports to be posted in the county clerk's office. The purpose of this bill is to provide more clear direction to the counties that the monthly reports should be filed with the county clerk's office. This change is meant to ensure that the reports are maintained over time to provide for review and greater oversight by the county commissioner's court.

As proposed, S.B. 882 amends current law relating to the filing of a copy of certain records related to the release of accused persons on personal bond.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 5(a), Article 17.42, Code of Criminal Procedure, to require a personal bond pretrial release office (office) established under this article to perform certain duties, including filing, rather than posting, a copy of a record containing certain information in the office of the clerk of the county court in any county served by the office.

SECTION 2. Makes application of this act prospective.

EFFECTIVE DATE

September 1, 2011