

1-1 By: Riddle (Senate Sponsor - Huffman) H.B. No. 1173
1-2 (In the Senate - Received from the House April 11, 2011;
1-3 April 20, 2011, read first time and referred to Committee on
1-4 Criminal Justice; May 19, 2011, reported favorably by the
1-5 following vote: Yeas 6, Nays 1; May 19, 2011, sent to printer.)

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

1-8 relating to the release on bond of certain persons arrested for a
1-9 misdemeanor without a warrant in certain counties.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Article 17.033(a), Code of Criminal Procedure,
1-12 is amended to read as follows:

1-13 (a) Except as provided by Subsection (c), a person who is
1-14 arrested without a warrant and who is detained in jail must be
1-15 released on bond, in an amount not to exceed \$5,000, not later than
1-16 the 24th hour after the person's arrest, or the 36th hour after the
1-17 person's arrest in a county with a population of three million or
1-18 more, if the person was arrested for a misdemeanor and a magistrate
1-19 has not determined whether probable cause exists to believe that
1-20 the person committed the offense. If the person is unable to obtain
1-21 a surety for the bond or unable to deposit money in the amount of the
1-22 bond, the person must be released on personal bond.

1-23 SECTION 2. The change in law made by this Act applies only
1-24 to a person arrested for an offense committed on or after the
1-25 effective date of this Act. A person arrested for an offense
1-26 committed before the effective date of this Act is governed by the
1-27 law in effect on the date the offense was committed, and the former
1-28 law is continued in effect for that purpose. For purposes of this
1-29 section, an offense was committed before the effective date of this
1-30 Act if any element of the offense occurred before that date.

1-31 SECTION 3. This Act takes effect September 1, 2011.

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