

By: Harless

H.B. No. 581

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the manner in which a bail bond or personal bond is
3 forfeited.

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

5 SECTION 1. Article 22.02, Code of Criminal Procedure, is
6 amended to read as follows:

7 Art. 22.02. MANNER OF TAKING A FORFEITURE. Bail bonds and
8 personal bonds are forfeited in the following manner: The name of
9 the defendant shall be called distinctly at the courthouse door,
10 and if the defendant does not appear within a reasonable time after
11 such call is made, judgment shall be entered that the State of Texas
12 recover of the defendant the amount of money in which the defendant
13 ~~[he]~~ is bound, and of the defendant's ~~[his]~~ sureties, if any, the
14 amount of money in which the sureties ~~[they]~~ are respectively
15 bound, and the ~~[which]~~ judgment shall state that the judgment
16 ~~[same]~~ will be made final, unless good cause be shown why the
17 defendant did not appear. For purposes of this article, a
18 reasonable time is presumed to be not less than 72 hours.

19 SECTION 2. The change in law made by this Act applies only
20 to a bail bond or personal bond executed on or after the effective
21 date of this Act. A bail bond or personal bond executed before the
22 effective date of this Act is governed by the law in effect when the
23 bond was executed, and the former law is continued in effect for
24 that purpose.

1 SECTION 3. This Act takes effect September 1, 2015.