

By: Harless

H.B. No. 643

A BILL TO BE ENTITLED

AN ACT

relating to the procedures for discharging bail in certain criminal proceedings.

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

SECTION 1. Article 32.01, Code of Criminal Procedure, is amended to read as follows:

Art. 32.01. DEFENDANT IN CUSTODY AND NO INDICTMENT PRESENTED. (a) When a defendant has been detained in custody or held to bail for the defendant's ~~his~~ appearance to answer any criminal accusation, the prosecution, unless otherwise ordered by the court, for good cause shown, supported by affidavit, shall be dismissed and the bail discharged, if indictment or information be not presented against the ~~such~~ defendant on or before the last day of the next term of the court which is held after the defendant's ~~his~~ commitment or admission to bail or on or before the 180th day after the date of commitment or admission to bail, whichever date is later.

(b) A surety may file a motion under Subsection (a) for the purpose of discharging the defendant's bail only.

SECTION 2. This Act takes effect September 1, 2015.