

By: Hinojosa

S.B. No. 1740

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of certain judges in criminal cases to  
3 review and modify a bail bond set by a municipal court judge or  
4 justice of the peace.

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

6 SECTION 1. Chapter 17, Code of Criminal Procedure, is  
7 amended by adding Article 17.0915 to read as follows:

8 Art. 17.0915. REVIEW OF BOND SET BY CERTAIN  
9 MAGISTRATES. (a) On the motion of the defendant, the judge of a  
10 district court or a county court or statutory county court with  
11 criminal jurisdiction may review and modify the defendant's bail  
12 bond on the grounds described by Section 3, Article 17.09, but only  
13 if the amount and conditions of the original bond were set by a  
14 municipal court judge or justice of the peace in the same county.

15 (b) Not later than the seventh day after a motion is filed  
16 under Subsection (a), the judge shall conduct a hearing if  
17 necessary and rule on the motion.

18 (c) The authority of a judge under this article applies to  
19 the bond required of a defendant regardless of whether the  
20 defendant remains confined or was released on the bond originally  
21 set in the case, except that if the defendant was released on bond,  
22 the judge shall require the defendant to give a new bond in the  
23 manner described by Section 3, Article 17.09.

24 SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2015.