

By: Thompson of Harris, Collier, Villalba,
Geren, Gooden

H.B. No. 2586

A BILL TO BE ENTITLED

AN ACT

relating to the electronic filing of bail bonds.

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

SECTION 1. Article 17.026, Code of Criminal Procedure, is amended to read as follows:

Art. 17.026. ELECTRONIC FILING OF BAIL BOND. (a) Except as otherwise provided by this article, in [In] any manner permitted by the county in which the bond is written, a bail bond may be filed electronically with the court, judge, magistrate, or other officer taking the bond.

(b) Subject to the implementation of a statewide system for the electronic filing of bail bonds, if a county permits the electronic filing of bail bonds:

(1) the commissioners court of the county shall adopt security standards to prevent the filing of fraudulent electronic bail bonds; and

(2) the county may establish a system for the electronic filing of bail bonds that:

(A) requires each surety to use a digital signature for the bond and any applicable attached power of attorney;

(B) assigns user names and passwords for each surety's office and holds the surety responsible for each bond electronically submitted to the county under the user name and

1 password assigned to the office; or

2 (C) allows a corporate surety to file the power
3 of attorney required by Article 17.07 of this code or Section
4 1704.211, Occupations Code, through the implementation of a digital
5 power of attorney system in which a power of attorney containing a
6 serial number is attached to the bond through a third-party
7 Internet website.

8 (c) An individual acting on the individual's own behalf or
9 on behalf of a corporate surety may not file an electronic bail bond
10 unless the individual and any surety on the bond are:

11 (1) otherwise authorized to file bail bonds in the
12 appropriate jurisdiction; and

13 (2) in compliance with Section 1704.213, Occupations
14 Code, and with the other provisions of Chapter 1704, if the
15 electronic bail bond is filed in a county governed by that chapter.

16 (d) The provisions of this chapter, Chapter 22 of this code,
17 and Chapter 1704, Occupations Code, that do not conflict with this
18 article apply to bail bonds filed electronically.

19 SECTION 2. This Act takes effect September 1, 2017.