

By: Dutton

H.B. No. 2381

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the release on bail of a person charged with a violation  
3 of parole or mandatory supervision.

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

5 SECTION 1. Sections 508.254(d) and (e), Government Code,  
6 are amended to read as follows:

7 (d) A magistrate of the county in which the person is held in  
8 custody:

9 (1) shall release the person on personal bond pending  
10 the hearing if:

11 (A) the person is arrested or held in custody on a  
12 charge that the person violated a condition of release by  
13 committing a new offense; and

14 (B) the person has been released on bond for that  
15 offense; and

16 (2) may release the person on bond pending the hearing  
17 if:

18 (A) [~~(1)~~] the person is arrested or held in  
19 custody only on a charge that the person committed an  
20 administrative violation of release;

21 (B) [~~(2)~~] the division, in accordance with  
22 Subsection (e), included notice on the warrant for the person's  
23 arrest that the person is eligible for release on bond; and

24 (C) [~~(3)~~] the magistrate determines that the

1 person is not a threat to public safety.

2 (e) The division shall include a notice on the warrant for  
3 the person's arrest indicating that the person is eligible for  
4 release on bond under Subsection (d)(2) [~~(d)~~] if the division  
5 determines that the person:

6 (1) has not been previously convicted of:

7 (A) an offense under Chapter 29, Penal Code;

8 (B) an offense under Title 5, Penal Code,  
9 punishable as a felony; or

10 (C) an offense involving family violence, as  
11 defined by Section 71.004, Family Code;

12 (2) is not on intensive supervision or super-intensive  
13 supervision;

14 (3) is not an absconder; and

15 (4) is not a threat to public safety.

16 SECTION 2. The change in law made by this Act applies only  
17 to a person who is arrested on or after the effective date of this  
18 Act. A person arrested before the effective date of this Act is  
19 governed by the law in effect on the date the person was arrested,  
20 and the former law is continued in effect for that purpose.

21 SECTION 3. This Act takes effect September 1, 2019.