

By: Dutton

H.B. No. 2381

A BILL TO BE ENTITLED

AN ACT

relating to the release on bail of a person charged with a violation of parole or mandatory supervision.

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

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

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

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

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

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

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

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

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

(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.