S.B. No. 1804 1-1 By: Kolkhorst 1-2 1-3 (In the Senate - Filed March 7, 2019; March 18, 2019, read time and referred to Committee on Criminal Justice; first March 27, 2019, reported favorably by the following vote: Yeas 6, Nays 0; March 27, 2019, sent to printer.) 1-4 1-5

1-6 COMMITTEE VOTE

1-7		Yea	Nay	Absent	PNV
1-8	Whitmire	Χ	-		
1-9	Huffman	Х			
1-10	Buckingham	X			
1-11	Flores	Х			
1-12	Hughes			X	
1-13	Miles	Х			
1-14	Perry	Х			

A BILL TO BE ENTITLED 1-15 1-16 AN ACT

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relating to the entry into the Texas Crime Information Center of certain information regarding conditions of bond imposed in criminal cases involving family violence.

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

SECTION 1. Article 17.49, Code of Criminal Procedure, is amended by adding Subsections (m), (n), (o), (p), (q), (r), (s), and (t) to read as follows:

- (m) As soon as possible but not later than the next business after the date the magistrate issues an order imposing a condition of bond or modifying or removing a condition imposed under this article, the magistrate shall send a copy of the order to the chief of police in the municipality where the victim of the offense resides, if the victim resides in a municipality, or to the sheriff of the county where the victim resides, if the victim does not reside in a municipality. The clerk of the court shall send a copy of the order to the victim at the victim's last known address as soon as possible but not later than the next business day after the date the order is issued.
- (n) A magistrate or clerk of the court may delay sending a of the order under Subsection (m) only if the magistrate or a lacks information necessary to ensure service and clerk enforcement.
- (o) If an order described by Subsection (m) prohibits defendant from going to or near a child care facility or school, the magistrate shall send a copy of the order to the applicable child care facility or school.

 (p) The copy of the order and any related information may be
- under Subsection (m) or (o) electronically or in another manner that can be accessed by the recipient.
- (q) If the victim of the offense is not present when an order described by Subsection (m) is issued, the magistrate shall order a peace officer to make a good faith effort to provide notice of the order to the victim within 24 hours by calling the victim's last known phone number.
- (r) Not later than the third business day after the date of receipt of the copy of an order described by Subsection (m) by the applicable law enforcement agency, the law enforcement agency shall enter the following information into the statewide law enforcement information system maintained by the Department of Public Safety or
- shall modify or remove that information, as appropriate:
 (1) the information listed in Section 411.042(b)(6) 1-57 1-58 Code, as that information relates to an order issued Government under this article; 1-59
- (2) 1-60 the date the order releasing the defendant on bond 1-61 was issued; and

S.B. No. 1804 the court that issued the order releasing the 2-1 (3) defendant on bond. 2-2 2-3 The law enforcement agency shall enter the information (s)described by Subsection (r) into the statewide law enforcement information system maintained by the Department of Public Safety: 2 - 42-5 2-6 (1) in the same manner that the agency enters the 2-7 information into the system for a protective order or magistrate's 2-8 order of emergency protection; and (2) regardless of whether a protective order or 2-9 2-10 magistrate's order of emergency protection: 2-11 (A) has been issued or has been entered into the system with respect to the defendant; or 2-12 2-13 (B) protects the same person as a condition of 2-14 bond in an order described by Subsection (m). 2**-**15 2**-**16 (t) The Department of Public Safety shall modified department's statewide law enforcement information system to: shall modify the 2-17 (1) enable the system to accept and maintain detailed 2-18 information regarding the requirements and status of a condition of bond imposed under this article, including information described by 2-19 2**-**20 2**-**21 Subsection (r), so that a peace officer may: (A) easily and quickly search the system by one or more criteria related to the information described by Subsection 2-22 (r), including the name of the defendant on whom the condition is 2-23 2-24 imposed; and 2-25 (B) retrieve the information necessary to enforce the condition of bond or prevent a violation of the 2-26

SECTION 2. This Act takes effect September 1, 2019.

condition is imposed, or the person protected by the condition.

the purpose of entering, modifying, or removing information that relates to a condition of bond imposed under this article may add or remove notes regarding the condition, the defendant on whom the

ensure that a person who accesses the system for

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(2)

condition; and

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