

Amend CSSB 6 (house committee printing) as follows:

(1) On page 5, line 1, between "birth" and the underlined comma, insert "or, if impracticable, other identifying information".

(2) On page 6, lines 12-14, strike "regarding the number of defendants for whom bail was set during the preceding state fiscal year" and substitute "from the preceding state fiscal year regarding the number of defendants for whom bail was set after arrest".

(3) On page 6, between lines 23 and 24, insert the following appropriately lettered subsection:

() The Department of Public Safety shall assist the office in implementing the public safety report system established under this article and shall provide criminal history record information to the office in the electronic form necessary for the office to implement this article.

(4) On page 7, line 14, strike "section" and substitute "article".

(5) On page 7, strike lines 25 through 27 and substitute the following:

(e) In the manner described by this article, a magistrate may, but is not required to, order, prepare, or consider a public safety report in setting bail for a defendant charged only with a misdemeanor punishable by fine only or a defendant who receives a citation under Article 14.06(c). If ordered, the report shall be prepared for the time and place for an appearance as indicated in the citation.

(f) A magistrate may set bail for a defendant charged only with an offense punishable as a misdemeanor without ordering, preparing, or considering a public safety report if the public safety report system is unavailable for longer than 12 hours due to a technical failure at the Office of Court Administration of the Texas Judicial System.

(6) On page 8, strike lines 6 through 8 and substitute the following:

(b) Notwithstanding any other law, a defendant to whom this article applies may be released on bail only by a magistrate who is:

(1) any of the following:

(A) a resident of this state;

(B) a justice of the peace serving under Section 27.054 or 27.055, Government Code; or

(C) a judge or justice serving under Chapter 74, Government Code; and

(2) in compliance with the training requirements of Article 17.024.

(7) On page 9, line 27, immediately following "WITH", insert "FELONY".

(8) On page 10, strike lines 3 through 8 and substitute the following:

(1) if a defendant is charged with committing an offense punishable as a felony while released on bail in a pending case for another offense punishable as a felony and the subsequent offense was committed in the same county as the previous offense, the defendant may be released on bail only by:

(A) the court before whom the case for the previous offense is pending; or

(B) another court designated in writing by the court described by Paragraph (A); and

(9) On page 10, strike line 10 and substitute the following:
offense punishable as a felony while released on bail for another pending offense punishable as a felony and the

(10) On page 11, line 3, strike "monetary" and substitute "cash or surety".

(11) On page 13, line 2, strike "hearing before" and substitute "review by".

(12) On page 13, line 3, strike "hearing may be held before" and substitute "review may be conducted by".

(13) On page 13, line 5, strike "held for that purpose".

(14) On page 13, lines 5 through 8, strike "The defendant must be given the opportunity to present evidence and respond to evidence presented by the attorney representing the state.".

(15) On page 13, line 17, strike "hearing" and substitute "review".

(16) On page 13, lines 18 and 19, strike "and must provide to

the office the reason for the delay".

(17) On page 13, line 19, strike "hearing" and substitute "review".

(18) On page 14, line 11, between "only" and "without", insert "or a defendant who receives a citation under Article 14.06(c)".

(19) On page 21, line 26, between "SECTION 9." and "Article", insert "(a)".

(20) On page 22, line 3, between "case" and "are", insert "in which the defendant has been arrested".

(21) On page 23, between lines 5 and 6, insert the following:

(a-1) Notwithstanding any other law, the duties imposed by Subsection (a)(6) with respect to obtaining and considering information through the public safety report system do not apply until April 1, 2022. This subsection expires June 1, 2022.

(22) On page 23, between lines 11 and 12, insert the following:

(b) Article 17.15(a), Code of Criminal Procedure, as amended by this Act, and Article 17.15(c), as added by this Act, take effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, Article 17.15(a), Code of Criminal Procedure, as amended by this Act, and Article 17.15(c), as added by this Act, take effect on the 91st day after the last day of the legislative session.

(23) On page 23, between lines 25 and 26, insert the following appropriately lettered subsection and reletter subsequent subsections and cross-references to those subsections accordingly:

(____) Notwithstanding Subsection (b), a sheriff, peace officer, or jailer may make a bail decision regarding a defendant who is charged only with a misdemeanor punishable by fine only or a defendant who receives a citation under Article 14.06(c) without considering the factor required by Article 17.15(a)(6).

(24) On page 28, line 17, between "set" and the underlined

comma, insert "after arrest".

(25) On page 30, line 15, between "publish" and "each", insert "the information from".

(26) On page 30, line 17, following the underlined period, insert the following:

Any identifying information or sensitive data, as defined by Rule 21c, Texas Rules of Civil Procedure, regarding the victim of an offense may not be published under this subsection.

(27) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Section 411.083(c), Government Code, is amended to read as follows:

(c) The department may disseminate criminal history record information under Subsection (b)(1) only for a criminal justice purpose. The department may disseminate criminal history record information under Subsection (b)(2) only for a purpose specified in the statute or order. The department may disseminate criminal history record information under Subsection (b)(4), (5), or (6) only for a purpose approved by the department and only under rules adopted by the department. The department may disseminate criminal history record information under Subsection (b)(7) only to the extent necessary for a county or district clerk to perform a duty imposed by law to collect and report criminal court disposition information. Criminal history record information disseminated to a clerk under Subsection (b)(7) may be used by the clerk only to ensure that information reported by the clerk to the department is accurate and complete. The dissemination of information to a clerk under Subsection (b)(7) does not affect the authority of the clerk to disclose or use information submitted by the clerk to the department. The department may disseminate criminal history record information under Subsection (b)(8) only to the extent necessary for the office of court administration to perform a duty imposed by law, including the development and maintenance of the public safety report system as required by Article 17.021, Code of Criminal Procedure, or to compile court statistics or prepare reports. The office of court administration may disclose criminal history record information obtained from the department under Subsection (b)(8):

(1) in a public safety report prepared under Article 17.022, Code of Criminal Procedure; or

(2) in a statistic compiled by the office or a report prepared by the office, but only in a manner that does not identify the person who is the subject of the information.

(b) This section takes effect on the 91st day after the last day of the legislative session.