

## **BILL ANALYSIS**

C.S.S.B. 6  
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Constitutional Rights & Remedies, Select  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been suggested that despite the presumption of innocence, many criminal defendants in Texas are detained in jail before and during trial because they cannot post monetary bail. There have been calls for revisions to bail practices in Texas with the goal of increasing public safety, decreasing costs of caring for pretrial detention populations, and minimizing the adverse impacts of extended pretrial detention for those who are a low risk to society. C.S.S.B. 6 seeks to address these issues by implementing various reforms regarding a person's right to bail.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.S.B. 6 revises the right to bail of criminal defendants, provides for a public safety report system, and sets out procedures for bail proceedings and requirements relating to certain training courses, among other provisions.

#### **Right to Bail**

C.S.S.B. 6 amends the Code of Criminal Procedure to revise the right to bail by replacing language providing that a person is eligible for bail unless charged with a capital offense when the proof is evident with language providing that a person is eligible for bail unless denial of bail is expressly permitted by the Texas Constitution or by other law.

C.S.S.B. 6 prohibits the release on personal bond of the following defendants:

- a defendant who is charged with an offense involving violence, defined by the bill as the following:
  - murder or capital murder;
  - kidnapping or aggravated kidnapping;
  - trafficking of persons or continuous trafficking of persons;
  - continuous sexual abuse of young child or disabled individual (if the bill becomes effective on the 91st day after the last day of the legislative session);
  - continuous sexual abuse of a young child or children (if the bill becomes effective on passage);
  - indecency with a child;

- assault that causes bodily injury to another and either is punishable as a second degree felony because of the victim's status as a peace officer or judge or is punishable as a felony and involved family violence;
- aggravated assault;
- sexual assault or aggravated sexual assault;
- injury to a child, elderly individual, or disabled individual;
- repeated violation of certain court orders or conditions of bond in a family violence, child abuse or neglect, sexual assault or abuse, indecent assault, stalking, or trafficking case;
- continuous violence against the family;
- aggravated robbery;
- taking or attempting to take a weapon from a peace officer, federal special investigator, employee or official of a correctional facility, parole officer, community supervision and corrections department officer, or commissioned security officer;
- aggravated promotion of prostitution;
- compelling prostitution; or
- sexual performance by a child; or
- a defendant who, while released on bail or community supervision for an offense involving violence, is charged with committing:
  - any offense punishable as a felony;
  - assault that causes bodily injury to another;
  - deadly conduct;
  - terroristic threat; or
  - certain disorderly conduct involving a firearm.

Except as noted above, this prohibition takes effect on passage, or, if the bill does not receive the necessary vote, on the 91st day after the last day of the legislative session.

C.S.S.B. 6 makes a conforming change to remove certain offenses for which release on personal bond will be prohibited by the bill from the list of offenses for which a defendant may be released on personal bond only by the court before whom the case is pending. This change takes effect at the same time as the prohibition.

### **Public Safety Report System**

C.S.S.B. 6 requires the Office of Court Administration of the Texas Judicial System (OCA) to develop and maintain a public safety report system that is available for use for purposes of setting bail. The public safety report system must do the following:

- state the statutory rules, as revised by the bill, for setting bail and list each factor that must be considered under those rules;
- provide the defendant's name and date of birth, the cause number of the case, if available, and the offense for which the defendant was arrested;
- provide information on the eligibility of the defendant for a personal bond;
- provide information regarding the applicability of any required or discretionary bond conditions;
- provide, in summary form, the criminal history of the defendant, including information regarding any:
  - previous misdemeanor or felony convictions;
  - pending charges;
  - previous sentences imposing a term of confinement;
  - previous convictions or pending charges for offenses that are offenses involving violence as defined by the bill or for offenses involving violence directed against a peace officer; and
  - previous failures of the defendant to appear in court following release on bail; and

- be designed to collect and maintain the information provided on the bail form required by the bill.

The bill requires OCA, as soon as practicable but not later than April 1, 2022, to create the public safety report system and any related forms and materials and to provide access to the system, forms, and materials to the appropriate officials in each county and municipality at no cost. The requirement to provide system access may not be construed to require OCA to provide an official or magistrate with any equipment or support related to accessing or using the system. If the public safety report system and any relevant forms and materials are made available before April 1, 2022, OCA must notify each court clerk, judge or other magistrate, and office of an attorney representing the state.

C.S.S.B. 6 prohibits the public safety report system from doing the following:

- including a score, rating, or assessment of a defendant's risk;
- making any recommendation regarding the appropriate bail for the defendant; or
- including any information other than the information specified by the bill.

The public safety report system may not be the only item relied on by a judge or magistrate in making a bail decision.

C.S.S.B. 6 requires OCA to use the information provided on the bail forms submitted through the public safety report system to collect data regarding the number of defendants for whom bail was set during the preceding state fiscal year, including the number for each category of offense, the number of personal bonds, and the number of monetary bonds. The bill requires OCA, not later than December 1 of each year, to submit a report containing that data to the governor, lieutenant governor, speaker of the house of representatives, and presiding officers of the standing committees of each house of the legislature with primary jurisdiction over the judiciary.

The bill's provisions relating to the public safety report system take effect on the 91st day after the last day of the legislative session.

## **Bail Proceedings**

### Rules for Setting Bail

C.S.S.B. 6 subjects the imposition of conditions of bail to the statutory rules for setting bail and revises the rules by including the following as factors required to be considered when setting bail:

- whether the offense committed by the defendant is an offense involving violence as defined by the bill or involves violence directed against a peace officer;
- the future safety of law enforcement;
- the defendant's criminal history record information, including information obtained through the statewide telecommunications system maintained by the Department of Public Safety (DPS) and through the public safety report system created by the bill, acts of family violence, other pending criminal charges, and any instances in which the defendant failed to appear in court following release on bail; and
- the citizenship status of the defendant.

For purposes of these provisions, "family violence" is defined by reference to the Family Code.

C.S.S.B. 6 requires a magistrate to consider all information relevant to the factors listed under the statutory rules, as revised by the bill, for setting bail for purposes of determining whether clear and convincing evidence exists to deny bail to a person accused of committing a sexual offense punishable as a first degree felony, committing a violent offense, or committing continuous trafficking of persons. This requirement takes effect June 1, 2022, but only if voters approve the corresponding constitutional amendment that, among other provisions, authorizes the denial of bail under some circumstances to such a person.

## Public Safety Report

C.S.S.B. 6 requires a magistrate considering the release on bail of a defendant charged with an offense punishable as a Class B misdemeanor or any higher category of offense to do the following:

- order that:
  - the personal bond office for the county in which the defendant is being detained, if such an office has been established for that county, or other suitably trained person including judicial personnel or sheriff's department personnel, use the public safety report system created by the bill to prepare a public safety report with respect to the defendant; and
  - the public safety report be provided to the magistrate as soon as practicable but not later than 48 hours after the defendant's arrest;
- consider the public safety report before setting bail; and
- promptly but not later than 72 hours after the time the bail is set, submit the bail form as required by the bill.

The bill establishes that 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 fine-only misdemeanor. The bill prohibits a magistrate from ordering a sheriff or sheriff's department personnel to prepare a public safety report without the consent of the sheriff but authorizes the magistrate to personally prepare the public safety report before or while making a bail decision.

## Limit on Authority to Release on Bail in Certain Cases

C.S.S.B. 6 limits the authority to release on bail a defendant charged with an offense that is punishable as a felony or that is a misdemeanor punishable by confinement to a magistrate who is in compliance with the training requirements established by the bill. The bill makes a magistrate ineligible to release such a defendant on bail if the magistrate:

- has been removed from office by impeachment, by the Texas Supreme Court, by the governor on address to the legislature, by a tribunal reviewing a recommendation of the State Commission on Judicial Conduct (SCJC), or by the legislature's abolition of the magistrate's court; or
- has resigned from office after having received notice that formal proceedings by SCJC have been instituted and before final disposition of the proceedings.

## Release on Bail of Defendant Charged with Offense Committed While on Bail

C.S.S.B. 6 provides the following with regard to a defendant charged with committing an offense while released on bail:

- if the defendant is charged with committing an offense punishable as a felony while released on bail for another offense punishable as a felony and the subsequent offense was committed in the same county as the previous offense, only the court before whom the case for the previous offense is pending may release the defendant on bail; and
- if a defendant is charged with committing an offense while released on bail for another offense and the subsequent offense was committed in a different county than the previous offense, electronic notice of the charge must be promptly given to the court before whom the case for the previous offense is pending for purposes of reevaluating the bail decision, determining whether any bail conditions were violated, or taking any other applicable action.

The bill clarifies that these provisions may not be construed to extend any deadline provided by applicable law relating to the duties of an arresting officer and magistrate and that a magistrate must determine whether the bail decision is subject to these provisions before admitting an arrested person to bail.

## Bail Decisions

C.S.S.B. 6 requires a magistrate, without unnecessary delay but not later than 48 hours after a defendant is arrested, to order, after individualized consideration of all circumstances and of the factors listed under the statutory rules, as revised by the bill, for setting bail, that the defendant be:

- granted personal bond with or without conditions;
- granted surety or cash bond with or without conditions; or
- denied bail in accordance with the Texas Constitution and other law.

If the defendant is charged only with a fine-only misdemeanor, the magistrate may make the bail decision without considering the defendant's criminal history record information.

C.S.S.B. 6 requires the magistrate, in setting bail, to impose the least restrictive conditions, if any, and the personal bond or monetary bond necessary to reasonably ensure the defendant's appearance in court and the safety of the community, law enforcement, and the victim of the alleged offense. The bill establishes that there is a rebuttable presumption that bail, conditions of release, or both bail and conditions of release are sufficient to reasonably ensure the defendant's appearance and the safety of those persons, unless specifically provided by other law. These provisions may not be construed as requiring the court to hold an evidentiary hearing that is not required by other law.

C.S.S.B. 6 prohibits a judge from adopting a bail schedule or entering a standing order related to bail that is inconsistent with the bill's provisions relating to bail decisions or that authorizes a magistrate to make a bail decision without considering each factor listed under the statutory rules, as revised by the bill, for setting bail. The bill requires that a defendant who is denied bail or unable to give bail in the amount required by any bail schedule or standing order related to bail be provided with certain statutorily prescribed warnings, as revised by the bill.

C.S.S.B. 6 requires a defendant, other than a defendant who is denied bail, who is charged with an offense punishable as a Class B misdemeanor or any higher category of offense and unable to give bail in the amount required by any bail schedule or standing order related to bail to be provided with the opportunity to file with the applicable magistrate a sworn affidavit in a specified form on which the defendant may claim inability to pay and request that the court set an appropriate bail. The bill requires a defendant filing an affidavit to complete a form to allow a magistrate to assess information relevant to the defendant's financial situation. That form must be either the form used to request appointment of counsel or a form promulgated by OCA that collects, at a minimum and to the best of the defendant's knowledge, the information a court may consider in determining whether a defendant is indigent for purposes of appointing counsel under state law.

C.S.S.B. 6 requires a magistrate making a bail decision, if applicable, to inform the defendant of the right to file an affidavit claiming an inability to pay and ensure that the defendant receives reasonable assistance in completing the affidavit and the form regarding the defendant's financial situation. A defendant may file an affidavit at any time before or during the bail proceeding. The bill entitles a defendant who files an affidavit to a prompt hearing before the magistrate on the bail amount and establishes that the hearing may be held before the magistrate making the bail decision or may occur as a separate pretrial proceeding held for that purpose. The bill provides for the defendant's right to present and respond to evidence and requires the magistrate to consider the facts presented and the statutory rules, as revised by the bill, for setting bail and to set the defendant's bail. If the magistrate does not set the defendant's bail in an amount below the amount required by the schedule or standing order, the magistrate must issue written findings of fact supporting the bail decision.

C.S.S.B. 6 requires the judges of the courts trying criminal cases and other magistrates in a county to report to OCA each defendant for whom such a hearing was not held within 48 hours of the defendant's arrest and to provide OCA the reason for the delay. If a delay occurs that will

cause the hearing to be held later than 48 hours after the defendant's arrest, the magistrate or an employee of the court or of the county in which the defendant is confined must provide notice of the delay to the defendant's counsel or to the defendant, if the defendant does not have counsel. The bill authorizes the magistrate to take certain actions with respect to a defendant who does not appear capable of executing an affidavit.

C.S.S.B. 6 establishes that the bill's provisions relating to bail decisions may not be construed to require the filing of an affidavit before a magistrate considers the defendant's ability to make bail under the statutory rules, as revised by the bill, for setting bail. The bill limits the use of a written or oral statement obtained under the bill's provisions relating to bail decisions, or evidence derived from the statement, to determining whether the defendant is indigent, impeaching the direct testimony of the defendant, or prosecuting the defendant for a perjury or other falsification offense.

#### Taking of Bail by Sheriffs, Peace Officers, or Jailers

C.S.S.B. 6 requires a sheriff, peace officer, or jailer, before taking bail in a misdemeanor or felony case, to obtain the defendant's criminal history record information through the statewide telecommunications system maintained by DPS and through the public safety report system created by the bill. If the defendant is charged with or has previously been convicted of an offense involving violence as defined by the bill, the sheriff, officer, or jailer may not set the amount of the defendant's bail but may take the bail in the amount set by the court. The bill revises the authorization for a sheriff, peace officer, or jailer to take bail for a defendant in a felony case in any amount that the officer considers reasonable if the court before which the case is pending is not in session in the county where the defendant is in custody and no bail amount has been set by a court or magistrate by requiring the amount to be in compliance with the statutory rules, as revised by the bill, for setting bail.

#### **Training Course Requirements**

C.S.S.B. 6 requires DPS to develop training courses that relate to the use of the statewide telecommunications system maintained by DPS and that are directed to each magistrate, judge, sheriff, peace officer, or jailer required to obtain criminal history record information under provisions, as revised by the bill, governing bail, as necessary to enable the person to fulfill those requirements.

C.S.S.B. 6 requires OCA to develop or approve training courses in consultation with the Texas Court of Criminal Appeals regarding a magistrate's duties, including duties with respect to setting bail in criminal cases. The bill requires the courses to include the following:

- an eight-hour initial training course that includes the content of the applicable training course on the use of the statewide telecommunications system maintained by DPS, to be completed by a magistrate not later than the 90th day after the date the magistrate takes office; and
- a two-hour continuing education course to be completed in each subsequent state fiscal biennium in which the magistrate serves.

The bill requires OCA to provide for a method of certifying that a magistrate has successfully completed a training course and has demonstrated competency of the course content in a manner acceptable to OCA and requires a magistrate to demonstrate competency in that manner to be considered in compliance with the training requirements. The bill includes a temporary provision set to expire May 1, 2023, establishing that a magistrate who is serving on April 1, 2022, is considered to be in compliance with the initial training requirement on completion of the applicable training course not later than December 1, 2022. The bill provides for the entities authorized to administer any such course developed or approved by OCA. These provisions take effect on the 91st day after the last day of the legislative session.

C.S.S.B. 6 amends the Government Code to require a justice of the peace to complete the training courses developed or approved by OCA regarding a magistrate's duties as follows:

- the eight-hour initial training course must be completed within one year after the date the justice is first elected; and
- the two-hour continuing education course must be completed each following state fiscal biennium.

The bill establishes that the eight-hour initial training course may be included in the 80-hour training course that must be completed by a justice of the peace in their first year of service.

### **Miscellaneous**

C.S.S.B. 6 amends the Code of Criminal Procedure to require a court clerk, as soon as practicable but not later than the next business day after the date a magistrate issues an order imposing a condition of release on bond for a defendant or modifying or removing a condition previously imposed, to send a copy of the order to the following persons:

- the appropriate attorney representing the state; and
- the sheriff of the county where the defendant resides.

The bill establishes that a court clerk may delay sending a copy of the order only if the clerk lacks information necessary to ensure service and enforcement. If the order prohibits the defendant from going to or near a child care facility or school, the bill requires the court clerk to send a copy of the order to the child care facility or school. The copy of the order and any related information may be sent electronically or in another manner that can be accessed by the recipient. The bill requires the magistrate or the magistrate's designee to provide written notice to the defendant of the conditions of release and the penalties for violating a condition and requires the magistrate to make a separate record of the notice. The bill requires OCA to promulgate a form for use by a magistrate or a magistrate's designee in providing such notice and requires the form to include the relevant language from statutes, as revised by the bill, under which a condition of release on bond may be imposed on a defendant.

C.S.S.B. 6 requires a police chief or sheriff who receives a copy of a magistrate's order regarding a condition of release, or a designee of the chief or sheriff, as soon as practicable but not later than the 10th day after the date the copy is received, either to enter information relating to the condition of release into the appropriate DPS database or to modify or remove information in the database, as appropriate.

C.S.S.B. 6 requires OCA to develop statewide procedures and prescribe forms to be used by a court to facilitate the following:

- the refund of any cash funds paid toward a monetary bond, with an emphasis on refunding those funds to the person in whose name the receipt was issued; and
- the application of those cash funds to the defendant's outstanding court costs, fines, and fees.

C.S.S.B. 6 requires information in the computerized criminal history system relating to an arrest to include whether a warrant was issued for any subsequent failure to appear in court for any offender released on bail.

C.S.S.B. 6 amends the Government Code to require the clerk of each court setting bail in criminal cases to report the following information as a component of the official monthly report submitted to OCA:

- the number of defendants for whom bail was set, including the number for each category of offense, the number of personal bonds, and the number of surety or cash bonds;
- the number of defendants released on bail who subsequently failed to appear;
- the number of defendants released on bail who subsequently violated a condition of release; and
- the number of defendants who committed an offense while released on bail or community supervision.

The bill requires OCA to post the information in a publicly accessible place on the OCA website without disclosing any personal information of any defendant, judge, or magistrate. The bill requires OCA, not later than December 1 of each year, to submit a report containing the data collected during the preceding state fiscal year to the governor, lieutenant governor, speaker, and presiding officers of the standing committees of each house of the legislature with primary jurisdiction over the judiciary.

C.S.S.B. 6 requires OCA to promulgate a bail form to be completed by a magistrate, judge, sheriff, peace officer, or jailer who sets bail for a defendant charged with an offense punishable as a Class B misdemeanor or any higher category of offense. The bill requires OCA to incorporate the completed forms into the public safety report system created by the bill. The bail form must be electronically signed by the person setting the bail and must do the following:

- state the cause number of the case, if available, the defendant's name and date of birth, and the offense for which the defendant was arrested;
- state the name and the office or position of the person setting bail; and
- require the person setting bail to certify that the person considered each of the required factors, to certify that the person considered the information provided by the public safety report system, and to identify the bail type, the amount of the bail, and any conditions of bail.

On completion of the bail form, the person setting bail, an employee of the court that set the defendant's bail, or an employee of the county in which the defendant's bail was set must promptly, but not later than 72 hours after the time the defendant's bail is set, provide the form electronically to OCA through the public safety report system. The bill requires OCA to publish each submitted bail form in a database that is publicly accessible on the OCA website.

C.S.S.B. 6 amends the Local Government Code to revise a county or district clerk's authority to deduct a fee when funds are withdrawn from a court registry for purposes of compensating the county for certain accounting and administrative expenses. The bill prohibits a clerk from deducting such an administrative fee from a withdrawal of funds generated by the collection of a cash bond or cash bail bond if in the case for which the bond was taken the defendant was found not guilty after a trial or appeal or the complaint, information, or indictment was dismissed without a plea of guilty or nolo contendere being entered. The bill requires a clerk, on the request of a person to whom withdrawn funds generated by the collection of a cash bond or cash bail bond were disbursed, to refund to the person the amount of the administrative fee deducted if, subsequent to the deduction, a court makes or enters an order or ruling in the applicable case and, had the court made or entered the order or ruling before the withdrawal of funds occurred, the fee deduction would have been prohibited under these bill provisions. The bill's provisions relating to this administrative fee take effect on the 91st day after the last day of the legislative session and apply only to a withdrawal of funds made on or after that effective date.

C.S.S.B. 6 requires OCA to take the following actions as soon as practicable but not later than April 1, 2022:

- promulgate the following forms:
  - the form for use by magistrates in assessing the financial situation of a defendant who files a sworn affidavit claiming inability to pay bail in the amount required by a schedule or standing order;
  - the form for use by a magistrate or a magistrate's designee in providing a defendant notice regarding conditions of release on bond and the penalties for violating a condition of release; and
  - the bail form to be completed by a magistrate, judge, sheriff, peace officer, or jailer who sets bail for a defendant charged with an offense punishable as a Class B misdemeanor or any higher category of offense;
- develop or approve and make available the training courses regarding a magistrate's duties and the related certification method; and
- develop the procedures and prescribe the forms related to monetary bond.



If those items are made available before April 1, 2022, OCA must notify each court clerk, judge or other magistrate, and office of an attorney representing the state. These requirements take effect on the 91st day after the last day of the legislative session.

The changes in law made by the bill apply only to a person who is arrested on or after the bill's effective date. A person arrested before the bill's effective date is governed by the law in effect on the date the person was arrested, and the former law is continued in effect for that purpose.

C.S.S.B. 6 repeals Article 17.03(f), Code of Criminal Procedure.

### **EFFECTIVE DATE**

Except as otherwise provided, January 1, 2022.

### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 6 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute changes the bill's caption to reflect the omission of provisions relating to charitable bail organizations.

Both the engrossed version and the substitute require the public safety report system created by the bill to provide the criminal history of the defendant in summary form, but the substitute adds a requirement for that summary to include information regarding any previous convictions or pending charges for offenses involving violence directed against a peace officer.

The engrossed version prohibited a magistrate from ordering, without the consent of the sheriff, a sheriff or sheriff's department personnel to prepare, under Subsection (a) of Article 17.022, Code of Criminal Procedure, as added by the bill, a public safety report relating to the release on bail of a defendant charged with an offense punishable as a Class B misdemeanor or any higher category of offense. The substitute instead provides that the prohibition applies to a public safety report prepared under the entire section (referring to "section," rather than "article," as the amendable unit, which likely extends the prohibition to the ordering of a public safety report for a defendant charged only with a fine-only misdemeanor).

The substitute does not include provisions contained in the engrossed version that limit the authority to release on bail a defendant charged with an offense that is punishable as a felony or that is a misdemeanor punishable by confinement to a magistrate who is a resident of a Texas county in which the magistrate serves, a justice of the peace who has exchanged benches or is serving as special or temporary justice, or a judge or justice serving under the Court Administration Act.

The substitute does not include a provision from the engrossed version that prohibited a court from considering testimonial evidence for purposes of setting bail or rebutting the presumption that bail, conditions of release, or both bail and conditions of release are sufficient to reasonably ensure the defendant's required court appearance and the safety of applicable persons. However, the substitute does include a provision establishing that neither that rebuttable presumption nor the requirement for a magistrate to impose the least restrictive conditions, if any, and the personal bond or monetary bond necessary to reasonably ensure such appearance and safety may be construed as requiring the court to hold an evidentiary hearing that is not required by other law.

While both the engrossed version and the substitute require the judges of the courts trying criminal cases and other magistrates in a county to report to OCA each defendant who files an

affidavit claiming inability to give bail in the amount required by a bail schedule or standing order and for whom the required hearing on the bail amount was not held within 48 hours of the defendant's arrest, the substitute also requires the judges and magistrates to provide to OCA the reason for the delay. The substitute revises the provision in the engrossed version requiring that a defendant's counsel be notified of a delay that will cause the hearing to be held later than 48 hours after the defendant's arrest to clarify that such notice must be provided to the defendant if they do not have counsel.

The substitute revises the definition of "offense involving violence" established by the engrossed version to limit the assault offenses involving family violence that are included in the definition to only those that are punishable as a felony.

The substitute does not include provisions contained in the engrossed version that established requirements and restrictions for charitable bail organizations.

The substitute changes the deadline by which OCA is required to take the following actions from January 1, 2022, as in the engrossed version, to April 1, 2022:

- create the public safety report system and any related forms and materials and provide access to the system, forms, and materials to the appropriate officials;
- promulgate the forms specified by the bill;
- develop or approve and make available the training courses relating to a magistrate's duties and the related certification method; and
- develop the procedures and prescribe the forms related to monetary bond.

Whereas the engrossed version provided for a magistrate serving on January 1, 2022, to complete the initial training course relating to a magistrate's duties not later than September 1, 2022, the substitute provides for a magistrate serving on April 1, 2022, to complete the initial training course not later than December 1, 2022. The substitute changes the expiration date of this provision of the bill from February 1, 2023, to May 1, 2023.