

Amend CSHB 20 (house committee printing) on page 9, between lines 1 and 2, by inserting the following appropriately lettered subsections and renumbering subsequent subsections and updating cross-references accordingly:

(_____) A defendant who is denied bail or who is unable to give bail in the amount required by any bail schedule or standing order related to bail shall be provided with the warnings described by Article 15.17.

(_____) A defendant who is unable to give bail in an amount required by any bail schedule or standing order related to bail may file with the applicable magistrate a sworn affidavit declaring the maximum amount that the defendant would be able to pay or provide as security within 24 hours of arrest for purposes of obtaining a bail bond. The affidavit must set out sufficient facts to clearly establish that amount, given the totality of the defendant's circumstances.

(_____) A defendant who files an affidavit under Subsection (_____) is entitled to a hearing before the magistrate on the bail amount. At the hearing or a review, the magistrate shall consider the facts stated in the affidavit and the rules established by Article 17.15 and set the defendant's bail. The magistrate may deviate from any bail schedule or standing order related to bail in setting a defendant's bail under this subsection. The magistrate shall issue oral or written findings of fact supporting the decision.