

BILL ANALYSIS

S.B. 495
By: Kolkhorst
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Criminal justice reforms in recent years have led to an increase in offenders released on bail and personal bond. These measures have focused on offenders and have not necessarily sought to balance and take into account the public safety needs of victims. In Texas, victims are granted specific rights within the criminal justice system. One of the rights enumerated within the Code of Criminal Procedure provides for a magistrate to consider the safety of the victim or the victim's family in setting the amount of bail for a defendant. S.B. 495 seeks to expand on that right to also give crime victims the right to be informed of the amount of bail set for the defendant and the right to request that the amount of bail be adjusted as necessary to protect the victim or the victim's family.

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

S.B. 495 amends the Code of Criminal Procedure to entitle a victim, guardian of a victim, or close relative of a deceased victim to the following rights within the criminal justice system:

- the right to be informed of the amount of bail set for the applicable defendant; and
- the right to request that the attorney representing the state ask the magistrate to adjust the amount of bail as necessary to ensure the safety of the victim or the victim's family.

EFFECTIVE DATE

September 1, 2021.