

By: Leman

H.B. No. 1007

A BILL TO BE ENTITLED

AN ACT

relating to conditions of release on bond for a defendant charged with certain trafficking or prostitution related offenses.

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

SECTION 1. Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.465 to read as follows:

Art. 17.465. CONDITIONS FOR DEFENDANT CHARGED WITH CERTAIN TRAFFICKING OR PROSTITUTION RELATED OFFENSES. (a) A magistrate shall require as a condition of release on bond that a defendant charged with an offense under Section 20A.02, 20A.03, 43.03, 43.031, 43.04, 43.041, or 43.05, Penal Code, may not:

(1) communicate directly or indirectly with the victim; or

(2) go to or near:

(A) the residence, place of employment, or business of the victim; or

(B) if applicable, a school, day-care facility, or similar facility where a dependent child of the victim is in attendance.

(b) The magistrate shall specifically describe the prohibited locations under Subsection (a)(2) and the minimum distances, if any, that the defendant must maintain from the locations.

(c) At a hearing limited to determining whether the

1 defendant violated a condition of bond imposed under Subsection
2 (a), the magistrate may revoke the defendant's bond only if the
3 magistrate finds by a preponderance of the evidence that the
4 violation occurred. If the magistrate finds that the violation
5 occurred, the magistrate shall revoke the defendant's bond and
6 order that the defendant be immediately returned to custody. Once
7 the defendant is placed in custody, the revocation of the
8 defendant's bond discharges the sureties on the bond, if any, from
9 any future liability on the bond. A discharge under this subsection
10 from any future liability on the bond does not discharge any surety
11 from liability for previous forfeitures on the bond.

12 SECTION 2. The change in law made by this Act applies only
13 to a person who is arrested on or after the effective date of this
14 Act. A person arrested before the effective date of this Act is
15 governed by the law in effect on the date the person was arrested,
16 and the former law is continued in effect for that purpose.

17 SECTION 3. This Act takes effect September 1, 2021.