

By: Crockett

H.B. No. 1352

A BILL TO BE ENTITLED

AN ACT

relating to the release of a defendant when the state is not ready for trial.

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

SECTION 1. Section 1, Article 17.151, Code of Criminal Procedure, is amended to read as follows:

Sec. 1. A defendant who is detained in jail pending trial of an accusation against the defendant [~~him~~] must be released either on personal bond or by reducing the amount of bail required, if the state is not ready for trial of the criminal action for which the defendant [~~he~~] is being detained within:

(1) 60 [~~90~~] days from the commencement of the [~~his~~] detention if the defendant [~~he~~] is accused of a felony;

(2) 10 [~~30~~] days from the commencement of the [~~his~~] detention if the defendant [~~he~~] is accused of a misdemeanor punishable by a sentence of imprisonment in jail for more than 180 days;

(3) five [~~15~~] days from the commencement of the [~~his~~] detention if the defendant [~~he~~] is accused of a misdemeanor punishable by a sentence of imprisonment for 180 days or less; or

(4) three [~~five~~] days from the commencement of the [~~his~~] detention if the defendant [~~he~~] is accused of a misdemeanor punishable by a fine only.

SECTION 2. The change in law made by this Act applies only

1 to a person who is arrested on or after the effective date of this  
2 Act. A person arrested before the effective date of this Act is  
3 governed by the law in effect on the date the person was arrested,  
4 and the former law is continued in effect for that purpose.

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