

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 5, 2021

TO: Honorable Nicole Collier, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1005 by Leman (Relating to the requisites of a bail bond given by certain defendants and to conditions of release on bond for certain defendants.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Code of Criminal Procedure to provide that if a defendant is charged with an enumerated offense, including offenses related to trafficking of persons, sexual misconduct, assaults, and public indecency, the bail bond must include the address, identification number and state of issuance as shown on a valid driver's license or identification card for the defendant and any surety.

The bill would impose special conditions of bond by increasing the age that a child victim must be and expanding the list of offenses that a defendant must commit before special conditions of bond must apply. Under the provisions of the bill, if an enumerated offense is committed against a child who is younger than 18 years of age, a magistrate must impose special conditions of bond on the defendant. Currently, the conditions are imposed only if the child is younger than 14 years of age. The bill would expand the list of offenses to which special conditions of bond must apply to include offenses related to trafficking of persons and public indecency.

The bill would require a magistrate, upon releasing a defendant on bond, to impose certain conditions of bond if the defendant is charged with a trafficking or prostitution related offense. Under the provisions of the bill, the magistrate must order the defendant not to communicate with or go to or near the residence of the alleged victim. The bill would establish the procedures by which the magistrate may revoke the bond if the defendant violates the conditions.

Based on information provided by the Office of Court Administration, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, DKN, BH, AF