

BILL ANALYSIS

H.B. 1709
By: Canales
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law limits the period within which a bail bondsman may return a defendant to the jurisdiction of the appropriate court in order to recover the money paid out under the bond. This limit removes the financial incentive for a bail bondsman to return a defendant after two years. H.B. 1709 seeks to increase the incentive for a bail bondsman to return a defendant who fails to return to court for their case by extending the period in which a bill of review may be filed from two to four years.

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

H.B. 1709 amends the Code of Criminal Procedure to extend from not later than two years after the date a final judgment is entered in a bond forfeiture proceeding to not later than the fourth anniversary of that date, the deadline by which the surety on the bond may file a special bill of review with the court. The bill applies only to a bail bond for which a final judgment of forfeiture is entered on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.