

By: Canales

H.B. No. 1709

A BILL TO BE ENTITLED

AN ACT

relating to a special bill of review to reform a final judgment of forfeiture of a bail bond.

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

SECTION 1. Article 22.17(a), Code of Criminal Procedure, is amended to read as follows:

(a) Not later than the fourth anniversary of ~~[two years after]~~ the date a final judgment is entered in a bond forfeiture proceeding, the surety on the bond may file with the court a special bill of review. A special bill of review may include a request, on equitable grounds, that the final judgment be reformed and that all or part of the bond amount be remitted to the surety, after deducting the costs of court, any reasonable costs to the county for the return of the principal, and the interest accrued on the bond amount from the date of forfeiture. The court in its discretion may grant or deny the bill in whole or in part.

SECTION 2. Article 22.17(a), Code of Criminal Procedure, as amended by this Act, applies only to a bail bond for which a final judgment of forfeiture is entered on or after the effective date of this Act. A bail bond for which a final judgment of forfeiture is entered before the effective date of this Act is governed by the law in effect on the date the judgment was entered, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2023.