

1-1 By: Whitmire S.B. No. 1151
 1-2 (In the Senate - Filed February 23, 2023; March 9, 2023,
 1-3 read first time and referred to Committee on Criminal Justice;
 1-4 March 23, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 7, Nays 0; March 23, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1151 By: Whitmire

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the authority of corporations to act as sureties on bail
 1-20 bonds.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Article 17.06, Code of Criminal Procedure, is
 1-23 amended to read as follows:

1-24 Art. 17.06. CORPORATION AS SURETY. (a) In ~~wherever in~~
 1-25 this chapter ~~Chapter~~, if a ~~any~~ person is required or authorized
 1-26 to give or execute a ~~any~~ bail bond, the ~~such~~ bail bond may be
 1-27 given or executed by the ~~such~~ principal and a ~~any~~ corporation
 1-28 authorized by law to act as surety, subject to all applicable ~~the~~
 1-29 provisions of this chapter ~~Chapter~~ regulating and governing the
 1-30 giving of bail bonds by personal surety ~~insofar as the same is~~
 1-31 applicable.

1-32 (b) Before executing a bail bond for the release of a
 1-33 defendant, a corporation acting as surety, or the agent executing
 1-34 the bail bond on behalf of the corporation acting as surety, shall:

1-35 (1) collect a premium of not less than 10 percent of
 1-36 the total surety bond amount; and

1-37 (2) submit to the sheriff of the county in which the
 1-38 prosecution is pending a sworn affidavit that confirms payment of
 1-39 the premium and identifies:

1-40 (A) the amount paid for the premium;

1-41 (B) the method of payment for the premium,
 1-42 including cash, a type of cash equivalent, a property transfer, a
 1-43 property lien, or another method; and

1-44 (C) the person who paid the premium.

1-45 SECTION 2. Article 17.06, Code of Criminal Procedure, as
 1-46 amended by this Act, applies only to a bail bond executed on or
 1-47 after the effective date of this Act. A bail bond executed before
 1-48 the effective date of this Act is governed by the law in effect on
 1-49 the date the bail bond was executed, and the former law is continued
 1-50 in effect for that purpose.

1-51 SECTION 3. This Act takes effect September 1, 2023.

1-52 * * * * *