**BILL ANALYSIS**

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| Senate Research Center | H.B. 2492 |
|  | By: Bowers et al. (Hinojosa, Juan "Chuy") |
|  | Criminal Justice |
|  | 5/15/2025 |
|  | Engrossed |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current state law, the head of an arresting agency has discretionary authority to hold a person arrested for family violence for up to four hours after bond has been posted if there is probable cause to believe the violence will continue upon immediate release. Concerns have been raised that despite this protective provision, implementation varies across jurisdictions and individuals who are arrested for family violence may be immediately released, leaving victims vulnerable. H.B. 2492 seeks to strengthen protections for family violence victims by changing the current discretionary authority to a mandatory requirement that law enforcement hold individuals arrested for family violence for four hours after bond is posted when there is probable cause to believe violence will continue.

H.B. 2492 amends current law relating to the period for which a person arrested for certain crimes involving family violence may be held after bond is posted.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 17.291(b), Code of Criminal Procedure, to require, rather than authorize, the head of the agency arresting or holding a person arrested or held without a warrant in prevention of family violence to hold the person for a period of four hours, rather than not more than four hours, after the bond has been posted.

SECTION 2. Makes application of Article 17.291(b), Code of Criminal Procedure, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2025.