

BILL ANALYSIS

H.B. 1650
By: Canales
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, when a defendant who is released on bail fails to appear in court, the court may issue a judgment of forfeiture of a bail bond requiring the surety who provided the bond, such as a bail bondsman, to pay the full bond amount. Further, the 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. The bill author has informed the committee that this limit removes the financial incentive for a bail bondsman to return a defendant after two years. H.B. 1650 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 years after the date a final judgment is entered in a bond forfeiture proceeding to four years after that date.

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. 1650 amends the Code of Criminal Procedure to extend the deadline by which the surety on a bond may file a special bill of review with the court from not later than two years after the date a final judgment is entered in the bond forfeiture proceeding to not later than the fourth anniversary of that date. 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. A bail bond for which a final judgment of forfeiture is entered before the bill's effective date 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.

EFFECTIVE DATE

September 1, 2025.