

BILL ANALYSIS

C.S.S.B. 9
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Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 2021, the Texas Legislature passed S.B. 6, the Damon Allen Act, which addressed the release of defendants charged with violent offenses or certain subsequent offenses. The bill's author published an opinion piece in the *Houston Chronicle* during March of 2025 arguing for the need to close gaps in current law and address elements of bail setting not covered by current law. C.S.S.B. 9 seeks to do that by enhancing the regulation of bail processes and magistrates in Texas by revising conditions and procedures for setting bail, expanding access and use of the public safety report system, and providing for certain crime victims' rights.

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 rulemaking authority is expressly granted to the Texas Supreme Court in SECTION 21 of this bill.

ANALYSIS

C.S.S.B. 9 amends the Code of Criminal Procedure, Government Code, and Human Resources Code to establish and revise provisions relating to the confinement or release of defendants before trial or sentencing, including regulating charitable bail organizations, and the conditions of and procedures for setting bail and reviewing bail decisions.

Reporting of Conditions of Pretrial Intervention Program

C.S.S.B. 9 amends the Code of Criminal Procedure to require the state's attorney or the attorney's designee who is responsible for monitoring a defendant's compliance with the conditions of a pretrial intervention program, as soon as practicable but not later than the 10th business day after the date the defendant enters the program, to enter information relating to the conditions of the program into the appropriate database of the statewide law enforcement information system maintained by the Department of Public Safety or to modify or remove information, as appropriate. This requirement takes effect January 1, 2026.

Provisions Relating to Bail

Public Safety Report System

Effective April 1, 2026, C.S.S.B. 9 includes the following among the information the public safety report system developed by the Office of Court Administration of the Texas Judicial System (OCA) must provide, in summary form, relating to the criminal history of a defendant:

- whether the defendant is currently on community supervision, parole, or mandatory supervision for an offense;
- whether the defendant is currently released on bail or participating in a pretrial intervention program and any conditions of that release or participation;
- outstanding warrants for the defendant's arrest that have been entered into the National Crime Information Center database or the Texas Crime Information System, including a warrant issued by a judge for a violation of any condition of community supervision or a warrant issued for the return of an applicable releasee; and
- any certain current protective orders for which the defendant is the subject.

C.S.S.B. 9 requires OCA, on request by a state's attorney, to provide to the attorney access to the public safety report system for the purpose of allowing the attorney to access a bail form submitted to OCA under state law. The bill requires the public safety report system to be configured to allow a county or municipality to integrate with the public safety report system the jail records management system and case management systems used by the county. The bill adds temporary provisions set to expire August 31, 2027, which provide the following:

- OCA may provide grants to reimburse counties and municipalities for costs related to integrating such systems; and
- OCA is not required to provide the grant unless OCA is appropriated money for that purpose.

These provisions relating to providing an applicable state's attorney access to the system, the configuration of the system to integrate with the systems used by the county, and reimbursement grants take effect January 1, 2026.

C.S.S.B. 9 authorizes OCA to modify the public safety report system to incorporate technological advances to the system's features regarding notices and to any other processes OCA determines will enhance the system's availability to protect the public.

Public Safety Report

C.S.S.B. 9 authorizes a magistrate, in the manner provided by state law, to order, prepare, or consider a public safety report in setting bail for a defendant who is not in custody at the time the report is ordered, prepared, or considered.

"Clear and Convincing Evidence"

C.S.S.B. 9, for purposes of determining whether clear and convincing evidence exists as described by the constitutional amendment proposed by the 89th Legislature, Regular Session, 2025, requiring the denial of bail under certain circumstances to persons accused of certain offenses punishable as a felony, establishes that the term "clear and convincing evidence" means the measure or degree of proof that will produce in the mind of the trier of fact a firm belief or conviction as to the truth of the allegations sought to be established. This provision takes effect January 1, 2026, but only if that amendment is approved by the voters. If that amendment is not approved by the voters, the provision has no effect.

Release on Bail of Defendant Charged With Felony Offense

C.S.S.B. 9 prohibits a magistrate appointed under state law in a county with a population of 200,000 or more from releasing on bail a defendant who meets any one of the following conditions:

- is charged with committing an offense punishable as a felony if the defendant:
 - was released on bail, parole, or community supervision for an offense punishable as a felony at the time of the instant offense;
 - has previously been finally convicted of two or more offenses punishable as a felony and for which the defendant was imprisoned in the Texas Department of Criminal Justice; or
 - is subject to an immigration detainer issued by U.S. Immigration and Customs Enforcement; or
- is charged with committing:
 - murder;
 - capital murder;
 - aggravated kidnapping; or
 - aggravated sexual assault.

The bill requires an order granting bail signed by any magistrate appointed under state law to include the names of each individual who appointed the magistrate and to state that the magistrate was appointed by those individuals.

C.S.S.B. 9 revises the authorization for the release on bail and the requirement for an electronic notice to be given for purposes of a court otherwise taking an applicable action with respect to a defendant charged with an offense punishable as a felony while already released on bail for another offense punishable as a felony, as follows:

- replaces the condition that the defendant is charged with the applicable offense with a condition that the defendant is taken before a magistrate for committing the applicable offense; and
- changes the recipient of the electronic notice from the court before whom the case for the previous offense is pending to the individual designated to receive electronic notices for the county in which the previous offense was committed and sets a deadline by which the notice must be given at not later than the next business day after the date the defendant is taken before the magistrate.

These provisions take effect April 1, 2026.

C.S.S.B. 9 sets out the following requirements relating to the individuals designated to receive the electronic notice:

- the local administrative district judge for each county must designate an individual to receive the electronic notice;
- each county must ensure that the name and contact information of the individual designated to receive the electronic notices are included in the public safety report system; and
- the designated individual who receives the electronic notice must promptly provide the notice to the applicable court, to the district clerk, and to the state's attorney and the defendant's attorney, if known, in the pending case for the offense for which the defendant was initially released on bail.

A notice provided by the designated individual to the court and such persons does not constitute an ex parte communication. These provisions take effect January 1, 2026.

Effective April 1, 2026, if a defendant is taken before a magistrate for committing an offense punishable as a felony while released on bail for another offense punishable as a felony, the court before which the case for the previous offense is pending must consider whether to revoke or modify the terms of the previous bond or to otherwise reevaluate the previous bail decision.

Review of Certain Bail Decisions Regarding Defendant Charged With or Arrested for Felony Offense

C.S.S.B. 9 establishes that a district judge, in any county in which the offense for which the person was arrested will be tried or in any county in which the charge for that offense will be filed, has jurisdiction to modify a bail decision regarding a defendant charged with or arrested for an offense punishable as a felony that was made by a magistrate of a court that does not have jurisdiction to try the offense, regardless of whether the defendant has been previously indicted or an information has been previously filed for the offense for which the defendant was arrested.

C.S.S.B. 9 requires the local administrative judge for each county to establish a procedure for the district clerk to notify each district judge in the county that the district clerk received a request to review a bail decision regarding such a defendant. The bill requires a district judge to review the bail decision as soon as practicable but not later than the next business day after the date a request to review the bail decision is filed with the district clerk by the state's attorney. The bill requires the district judge reviewing the bail decision to comply with provisions governing bail duration, original and subsequent proceedings for bail, and new bail, and to consider the facts presented and applicable rules in setting the defendant's bail. If a district judge modifies a bail decision under these provisions to increase the amount of bail or to require additional conditions of bail for a defendant who is not in custody, the judge must issue a summons for the defendant to appear before the judge and to give the defendant a reasonable opportunity to appear before issuing a warrant for the defendant's arrest.

Prohibited Release on Personal Bond

C.S.S.B. 9 includes among the conditions under which the release of a defendant on personal bond is prohibited the condition that the defendant is charged with the following offenses:

- murder as a result of manufacture or delivery of a controlled substance in Penalty Group 1-B of the Texas Controlled Substances Act;
- violation of certain court orders or conditions of bond in a family violence, child abuse or neglect, sexual assault or abuse, indecent assault, stalking, or trafficking case; or
- unlawful possession of a firearm by a person convicted of a felony.

The bill removes the limitation on the prohibition against the release of a defendant on personal bond for a terroristic threat offense to a defendant charged with the offense while released on bail or community supervision for an offense involving violence and instead prohibits the release on personal bond of any defendant charged with a terroristic threat offense punishable as a Class A misdemeanor or any higher category of offense, regardless of whether the defendant is on bail or community supervision for an offense.

C.S.S.B. 9 also expands the prohibition against the release of a defendant on personal bond who is charged with committing any offense punishable as a felony, assault, deadly conduct, or disorderly conduct involving a firearm while released on bail or community supervision for an offense involving violence to include a defendant charged with such an offense while on parole for an offense involving violence.

Charitable Bail Organizations

C.S.S.B. 9 revises the requirement for a charitable bail organization, not later than the 10th day of each month, to submit to the sheriff of each county in which the organization files an affidavit designating the individuals authorized to pay bonds on behalf of the organization as follows:

- includes OCA among the recipients of the report; and
- includes among the required contents of the report the following information for each defendant for whom the organization paid a bail bond in the preceding calendar month: each charge for which the bond was paid, the category of offense for each charge for which the bond was paid, the amount of the bond paid, and whether a bond forfeiture has occurred in connection with the charge for which the bond was paid.

The bill requires OCA, if OCA has reason to believe that a charitable bail organization may have paid one or more bonds in violation of provisions governing charitable bail organizations, to report that information to the sheriff of the county in which the suspected violation occurred.

Duration of Bail; Original and Subsequent Proceedings for Bail; New Bail

C.S.S.B. 9 establishes that the authorization for a judge or magistrate in whose court a criminal action is pending, subject to a specified finding, either in term-time or in vacation, to order the accused to be rearrested and to require the accused to give another bond in such amount as the judge or magistrate deems proper, applies regardless of whether the defendant has been previously released under state law governing the release of a defendant because the state is not ready for trial of the applicable criminal action.

Reduction in Amount or Conditions of Bond Prohibited in Certain Circumstances

C.S.S.B. 9 prohibits a magistrate who is not a justice of the supreme court, a judge of the court of criminal appeals, a justice of the courts of appeals, or a judge of a district court from modifying the amount or conditions of bond set by a district court judge, including the judge of a district court in another county.

Bail for Any Felony Offense

C.S.S.B. 9 requires a magistrate, before releasing on bail a defendant charged with an offense punishable as a felony, to ensure the following:

- the defendant has appeared before the magistrate; and
- the magistrate has considered the public safety report prepared for the defendant.

Confinement Before Sentencing on Plea of Guilty for Certain Offenses

C.S.S.B. 9 requires a court, if a defendant enters a plea of guilty for an offense ineligible for judge-ordered community supervision punishable as a second degree felony or any higher category of offense, to order that the defendant be taken into custody and confined until the defendant is sentenced.

Findings Regarding Failure to Appear

C.S.S.B. 9 requires a judge, in the disposition of a criminal case involving any offense punishable as a Class B misdemeanor or any higher category of offense, to make an affirmative finding of fact and to enter the affirmative finding in the judgment or dismissal order in the case if the judge determines that the defendant wilfully failed to appear after the defendant was released from custody for the offense. The affirmative finding must include the number of times the defendant failed to appear for the offense. The bill requires the judgment of a criminal case, in addition to the other information required by state law, to reflect affirmative findings entered under such provisions.

Appeal by the State of Order Granting Bail

C.S.S.B. 9 entitles the state to appeal an order of a court in a criminal case that grants bail, in an amount considered insufficient by the prosecuting attorney, to a defendant who meets the following conditions:

- is charged with:
 - murder;
 - capital murder;
 - aggravated assault causing serious bodily injury to another, including the person's spouse, or in which the defendant used a firearm, club, knife, or explosive weapon during the commission of the assault;

- aggravated kidnapping;
- aggravated robbery;
- aggravated sexual assault;
- indecency with a child; or
- trafficking of persons or continuous trafficking of persons; or
- is charged with an offense punishable as a felony and was released on bail for an offense punishable as a felony at the time the instant offense was committed.

The bill requires a court of appeals to expedite an appeal under these provisions and to issue an order in the appeal not later than the 20th day after the date the appeal is filed. The court of appeals may affirm or modify the bail amount set by the court or reject the bail amount set by the court and remand the case to the court, with or without guidance, for modification of the bail amount. The bill requires the Texas Supreme Court, as soon as practicable but not later than October 1, 2025, to adopt rules necessary to implement the requirement relating to an expedited appeal and order of a court of appeals.

C.S.S.B. 9 establishes that a defendant who is in custody and for whom the state appeals an order granting bail in an amount considered insufficient by the prosecuting attorney is not entitled to bail and must be held in custody during the pendency of the appeal.

General Rights of Victims Within the Criminal Justice System

C.S.S.B. 9 includes the right to be informed, when requested, whether an applicable defendant has fully complied with any conditions of the defendant's bail by the office of the state's attorney among the rights to which a victim, guardian of a victim, or close relative of a deceased victim is entitled within the criminal justice system.

OCA Bail Form

C.S.S.B. 9 amends the Government Code to require a person who, under the authority of a standing order related to bail, releases on bail a defendant who is charged with an offense punishable as a Class B misdemeanor or any higher category of offense to complete the bail form promulgated by OCA. The bill changes from not later than 72 hours after the time the defendant's bail is set to not later than 48 hours after that time the deadline by which the person setting bail, an employee of the court that set the defendant's bail, or an employee of the county in which the defendant's bail was set, on completion of the bail, must provide the bail form electronically to OCA through the public safety report system.

Effective January 1, 2026, C.S.S.B. 9 requires OCA to provide to the elected district attorney in each county an electronic copy of the bail form submitted to OCA through the public safety report system for each defendant whose bail is set in the county for an offense involving violence, defined by reference to Code of Criminal Procedure provisions relating to personal bond, and requires an elected district attorney to provide an email address to OCA for the purpose of receiving the form.

Notice to Victims of Family Violence, Stalking, Harassment, or Terroristic Threat

C.S.S.B. 9 amends the Human Resources Code to include among the information regarding the legal rights of a victim that must be included, in both English and Spanish, in the notice adopted by the Health and Human Services Commission for victims of family violence, stalking, harassment, or a terroristic threat information regarding the ability of the victim to provide information to the local prosecutor that will be helpful to a magistrate setting bail if the person committing the offense is arrested.

Repealed Provision

C.S.S.B. 9 repeals Article 17.071(f-1), Code of Criminal Procedure.

Applicability

C.S.S.B. 9 applies only to an offense committed on or after the bill's effective date. An offense committed before the bill's effective date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense occurred before that date.

EFFECTIVE DATE

Except as otherwise provided, September 1, 2025.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 9 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute does not include the requirement of the engrossed for a magistrate, not later than 24 hours after the time the magistrate determines that no probable cause exists to believe that a person committed the offense for which the person was arrested, to enter in the record written findings to support that finding.

While the engrossed and substitute both require information relating to a defendant's conditions of a pretrial intervention program to be entered into the appropriate database of the statewide law enforcement information system, modified, or removed, as appropriate, the versions differ as follows:

- the engrossed included the requirement for the state's attorney, as soon as practicable but not later than the next business day after the date a defendant enters the program, to send a copy of the conditions to an applicable county sheriff, whereas the substitute does not include this requirement;
- the engrossed included the requirement for the sheriff who receives the copy or the sheriff's designee from the state's attorney, as soon as practicable but not later than the 10th day after the date the copy is received, to then enter, modify, or remove the information, as appropriate, whereas the substitute requires the state's attorney or the attorney's designee who is responsible for monitoring a defendant's compliance with the conditions instead to enter, modify, or remove the information, as appropriate, not later than the 10th business day after the date the defendant enters the program; and
- the substitute makes the requirement effective January 1, 2026, whereas the engrossed did not.

With respect to the information that must be included, in summary form, relating to the criminal history of a defendant in the public safety report system, the versions differ as follows:

- the engrossed specified that information regarding pending charges includes whether the defendant is currently released on bail or participating in a pretrial intervention program and any conditions of that release or participation, whereas the substitute does not make such a specification;
- the engrossed clarified that the previous failures of the defendant to appear in court following release on bail is any such previous failure, whereas the substitute does not make such a clarification;
- the substitute includes whether the defendant is currently released on bail or participating in a pretrial intervention program and any conditions of that release or participation, whereas the engrossed did not do so; and
- the substitute makes the changes to the information that must be included effective April 1, 2026, whereas the engrossed did not.

While both the engrossed and substitute require OCA, on request by a state's attorney, to provide to the attorney access to the public safety report system for the purpose of allowing the attorney to access a bail form submitted to OCA under state law, the substitute makes the requirement effective January 1, 2026.

The substitute revises the requirement of the engrossed for the public safety report system to be configured to allow a county to integrate certain systems used by the county with the public safety report system by including configuration to allow a municipality to integrate those systems and by making the requirement effective January 1, 2026. Accordingly, the substitute revises the authorization of the engrossed for OCA to provide grants to reimburse counties for costs related to integrating certain systems used by the county by including the provision of grants to reimburse municipalities for such costs and by making the authorization effective January 1, 2026.

The substitute includes a provision absent from the engrossed establishing that, for purposes of determining whether clear and convincing evidence exists as described by the constitutional amendment proposed by the 89th Legislature, Regular Session, 2025, requiring the denial of bail under certain circumstances to persons accused of certain offenses punishable as a felony, the term "clear and convincing evidence" means the measure or degree of proof that will produce in the mind of the trier of fact a firm belief or conviction as to the truth of the allegations sought to be established. Accordingly, the substitute includes a provision absent from the engrossed making this provision effective January 1, 2026, contingent on the approval of that constitutional amendment by the voters.

While the engrossed and substitute both prohibit a magistrate appointed under state law from releasing certain defendants on bail, the versions differ as follows:

- the substitute specifies that the prohibition applies to a magistrate appointed under state law in a county with a population of 200,000 or more, whereas the engrossed did not make that specification;
- whereas the engrossed included a defendant who is charged with committing an offense punishable as a felony while on parole or community supervision among the defendants whose release on bail is prohibited, the substitute includes a defendant who is charged with committing an offense punishable as a felony while released on bail, parole, or community supervision for an offense punishable as a felony among those defendants instead; and
- whereas the engrossed included a defendant who is charged with committing aggravated assault among the defendants whose release on bail is prohibited, the substitute does not include such a defendant.

The substitute includes a requirement absent from the engrossed for an order granting bail signed by any magistrate appointed under state law to include the names of each individual who appointed the magistrate and to state that the magistrate was appointed by those individuals.

With respect to the authorization for the release on bail and the requirement for an electronic notice to be given for purposes of a court otherwise taking an applicable action with respect to a defendant charged with an offense punishable as a felony while already released on bail for another offense punishable as a felony, the substitute replaces the condition that the defendant is charged with the applicable offense with a condition that the defendant is taken before a magistrate for committing the applicable offense and makes the replacement effective April 1, 2026, which the engrossed did not do. Accordingly, the substitute revises the requirement of the engrossed for a court to consider whether to revoke or modify the terms of the previous bond or to otherwise reevaluate the previous bail decision for certain defendants, as follows:

- changes the defendants for whom the court must make the consideration from a defendant charged with an offense punishable as a felony while released on bail in a

pending case, as in the engrossed, to a defendant taken before a magistrate for committing such an offense; and

- makes the requirement effective April 1, 2026.

While the engrossed and substitute both require the local administrative district judge for each county to designate an individual to receive electronic notices and the county to ensure that such an individual's name and contact information is included in the public safety report system, the substitute makes the requirement effective January 1, 2026.

The substitute revises the requirement of the engrossed for a designated individual who receives an electronic notice of an applicable charge to promptly provide the notice to the applicable court, and to the state's attorney and the defendant's attorney, if known, in the pending case for the offense for which the defendant was initially released on bail, as follows:

- includes the district clerk among the recipients; and
- makes the requirement effective January 1, 2026.

The substitute revises the prohibition of the engrossed against the release on personal bond of any defendant charged with a terroristic threat offense, regardless of whether the defendant is on bail or community supervision for an offense, by limiting the applicability of the prohibition to a defendant charged with a terroristic threat offense punishable as a Class A misdemeanor or any higher category of offense.

The substitute expands the prohibition against the release of a defendant on personal bond who is charged with committing any offense punishable as a felony, assault, deadly conduct, or disorderly conduct involving a firearm while released on bail or community supervision for an offense involving violence to include a defendant charged with such an offense while on parole for an offense involving violence, whereas the engrossed did not expand the prohibition.

While the engrossed and substitute both revise the requirement for a charitable bail organization by a specified deadline to submit to the sheriff of each county in which the organization files an affidavit designating the individuals authorized to pay bonds on behalf of the organization, the versions differ as follows:

- whereas the engrossed changed the recipients of the report from the sheriff of each applicable county to OCA, the substitute includes OCA as such a recipient in addition to those sheriffs; and
- the substitute includes among the required contents of the report, for each defendant for whom the organization paid a bail bond in the preceding calendar month, the category of offense for each charge for which the bond was paid, whereas the engrossed did not include such information.

The substitute changes the action that is prohibited for a magistrate who is not a justice of the supreme court, a judge of the court of criminal appeals, a justice of the courts of appeals, or a judge of a district court from the modification of the amount or conditions of bond set by a district court judge, including the judge of a district court in another county, as in the engrossed, to the reduction in the amount or conditions of bond set by such a district court judge.

Whereas the engrossed prohibited a magistrate from releasing on bail a defendant charged with an offense punishable as a felony unless the defendant has appeared before the magistrate and the magistrate has considered the defendant's public safety report, the substitute instead requires a magistrate, before releasing such a defendant on bail, to ensure that the defendant has appeared before the magistrate and the magistrate has considered the defendant's public safety report.

The substitute includes a requirement absent from the engrossed for a court, if a defendant enters a plea of guilty for an offense ineligible for judge-ordered community supervision punishable as a second degree felony or any higher category of offense, to order that the defendant be taken into custody and confined until the defendant is sentenced.

While the engrossed and substitute both require a judge to make an affirmative finding of fact regarding a defendant's failure to appear after being released from custody for an offense and enter the affirmative finding in the judgment in the applicable case, the versions differ as follows:

- whereas the engrossed required the judge to take such actions in the trial of an offense, the substitute requires the judge to do so in the disposition of a criminal case involving any offense punishable as a Class B misdemeanor or any higher category of offense;
- whereas the engrossed conditioned the judge's actions on a determination that the defendant engaged in conduct constituting the offense of bail jumping and failure to appear after the defendant was released from custody for the offense for which the defendant was tried, the substitute conditions the judge's actions on a determination that the defendant wilfully failed to appear after the defendant was released from custody for the offense;
- the substitute includes a requirement absent from the engrossed that the judge enter such an affirmative finding in the dismissal order in the case; and
- the substitute includes a requirement absent from the engrossed that the affirmative finding include the number of times the defendant failed to appear for the offense.

Both the engrossed and substitute entitle the state to appeal an order of a court in a criminal case that grants bail, in an amount considered insufficient by the prosecuting attorney, to certain defendants. However, whereas the engrossed applied that provision to an order granting bail to a defendant who is charged with any offense punishable as a felony and has previously been granted bail for a pending offense punishable as a felony, the substitute applies the provision to an order granting bail to a defendant who, as follows:

- is charged with any of the following offenses:
 - murder;
 - capital murder;
 - aggravated assault causing serious bodily injury to another, including the person's spouse, or in which the defendant used a firearm, club, knife, or explosive weapon during the commission of the assault;
 - aggravated kidnapping;
 - aggravated robbery;
 - aggravated sexual assault;
 - indecency with a child;
 - trafficking of persons; or
 - continuous trafficking of persons; or
- is charged with an offense punishable as a felony and was released on bail for an offense punishable as a felony at the time the instant offense was committed.

The substitute also includes the following provisions absent from the engrossed relating to such appeals:

- a requirement for a court of appeals to expedite the appeal and to issue an order in the appeal by a specified deadline;
- an authorization for a court of appeals to affirm or modify the bail amount set by the court or to reject the bail amount set by the court and remand the case to the court, with or without guidance, for modification of the bail amount; and
- a requirement for the Texas Supreme Court, as soon as practicable but not later than October 1, 2025, to adopt rules necessary to implement the substitute version's requirement relating to an expedited appeal and order of a court of appeals.

The substitute includes the right to be informed, when requested, whether an applicable defendant has fully complied with any conditions of the defendant's bail by the office of the state's attorney among the rights to which a victim, guardian of a victim, or close relative of a deceased victim is entitled within the criminal justice system, whereas the engrossed did not include this right.

The substitute revises the requirement of the engrossed for a person who releases a defendant on bail under the authority of a standing order related to bail to complete the bail form promulgated by OCA by limiting the applicability of that requirement with respect to a defendant released on bail who is charged with an offense punishable as a Class B misdemeanor or any higher category of offense.

While the engrossed and substitute require OCA to provide to the elected district attorney in each county an electronic copy of the bail form submitted to OCA through the public safety report system for each defendant whose bail is set in the county for an offense involving violence and require an elected district attorney to provide an email address to OCA, the substitute also makes the requirements effective January 1, 2026.