

By: Huffman, et al.
(Louderback)

S.B. No. 1020

A BILL TO BE ENTITLED

AN ACT

relating to personal bond offices, to the notification provided to a judge regarding tampering with an electronic monitoring device while released on bond or community supervision, and to the availability of certain information regarding a person required to submit to an electronic monitoring program or being supervised by a community supervision and corrections department.

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

SECTION 1. Sections 5(a) and (b), Article 17.42, Code of Criminal Procedure, are amended to read as follows:

(a) A personal bond pretrial release office established under this article shall:

(1) prepare a record containing information about any accused person identified by case number only who, after review by the office, is released by a court on personal bond before sentencing in a pending case;

(2) update the record on a monthly basis; ~~and~~

(3) file a copy of the record with the district or county clerk, as applicable based on court jurisdiction over the categories of offenses addressed in the records, in any county served by the office; and

(4) submit a copy of the record to the attorney representing the state and the accused person's attorney and, as applicable based on whether the accused person violated a condition

1 of release on bond in the preceding month, an update to that record.

2 (b) In preparing a record under Subsection (a), the office
3 shall include in the record a statement of:

4 (1) the offense with which the person is charged;

5 (2) the dates of any court appearances scheduled in
6 the matter that were previously unattended by the person;

7 (3) whether a warrant has been issued for the person's
8 arrest for failure to appear in accordance with the terms of the
9 person's release;

10 (4) whether the person has failed to comply with
11 conditions of release on personal bond, including failing to comply
12 by tampering with an electronic monitoring device; and

13 (5) the presiding judge or magistrate who authorized
14 the personal bond.

15 SECTION 2. Chapter 17, Code of Criminal Procedure, is
16 amended by adding Article 17.431 to read as follows:

17 Art. 17.431. NOTIFICATION BY PERSONAL BOND OFFICE REGARDING
18 ELECTRONIC MONITORING DEVICE VIOLATION. Immediately after a
19 personal bond office established under Article 17.42 determines
20 there is reasonable cause to believe that a defendant supervised by
21 the office has violated a condition of release on bond related to an
22 electronic monitoring device, including a global positioning
23 monitoring system as defined by Article 17.49, the personal bond
24 office shall notify the court or magistrate having jurisdiction
25 over the case.

26 SECTION 3. Chapter 17, Code of Criminal Procedure, is
27 amended by adding Article 17.442 to read as follows:

1 Art. 17.442. NOTIFICATION BY AGENCY SUPERVISING DEFENDANT
2 REGARDING ELECTRONIC MONITORING DEVICE VIOLATION. Immediately
3 after the agency designated by the magistrate to supervise a
4 defendant's release on bond, other than a personal bond, determines
5 there is reasonable cause to believe that the defendant has
6 violated a condition of release on bond related to an electronic
7 monitoring device, including a global positioning monitoring
8 system as defined by Article 17.49, the agency shall notify the
9 court or magistrate having jurisdiction over the case.

10 SECTION 4. Subchapter P, Chapter 42A, Code of Criminal
11 Procedure, is amended by adding Article 42A.7515 to read as
12 follows:

13 Art. 42A.7515. NOTIFICATION BY SUPERVISION OFFICER
14 REGARDING ELECTRONIC MONITORING DEVICE VIOLATION. Immediately
15 after a supervision officer determines there is reasonable cause to
16 believe that a defendant supervised by the officer has violated a
17 condition of community supervision related to an electronic
18 monitoring device, including a global positioning monitoring
19 system as defined by Article 17.49, the supervision officer shall
20 notify the judge of that violation.

21 SECTION 5. Section 21.013(a)(1), Government Code, is
22 amended to read as follows:

23 (1) "Judicial work product" means written,
24 electronic, or oral material prepared or communications made in the
25 course of an adjudicatory proceeding before a court determining
26 legal rights, powers, duties, or privileges. The term includes all
27 drafts of opinions or orders and memoranda of law. The term does

1 not include information related to a person who is required to
2 submit to electronic monitoring of a person's location as part of an
3 electronic monitoring program under Article 42.035, Code of
4 Criminal Procedure, or as a condition of community supervision,
5 parole, mandatory supervision, or release on bail.

6 SECTION 6. Section 76.019, Government Code, is amended by
7 adding Subsection (c) to read as follows:

8 (c) A department may release data or information, including
9 electronic monitoring data, reporting dates, contact information,
10 family and collateral contacts, and addresses, related to the
11 location of a person who is supervised by the department to law
12 enforcement or the office of the attorney representing the state
13 for the purpose of locating the person or serving a warrant.

14 SECTION 7. Articles 17.431, 17.442, and 42A.7515, Code of
15 Criminal Procedure, as added by this Act, apply only to a violation
16 of a condition of release on bond or a violation of a condition of
17 community supervision, as applicable, that occurs on or after the
18 effective date of this Act. A violation that occurs before the
19 effective date of this Act is governed by the law in effect on the
20 date the violation occurred, and the former law is continued in
21 effect for that purpose.

22 SECTION 8. This Act takes effect September 1, 2025.