

By: Huffman

S.B. No. 1020

A BILL TO BE ENTITLED

AN ACT

1
2 relating to personal bond offices, to the notification provided to
3 a judge regarding tampering with an electronic monitoring device
4 while released on bond or community supervision, and to the
5 availability of certain information regarding a person required to
6 submit to an electronic monitoring program.

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

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

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

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

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

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

21 (4) submit a copy of the record to the attorney
22 representing the state and the accused person's attorney and, as
23 applicable based on whether the accused person violated a condition
24 of release on bond in the preceding month, an update to that record.

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

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

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

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

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

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

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

16 Art. 17.431. NOTIFICATION BY PERSONAL BOND OFFICE REGARDING
17 ELECTRONIC MONITORING DEVICE VIOLATION. Not later than 48 hours
18 after a personal bond office established under Article 17.42
19 becomes aware that a defendant supervised by the office has
20 violated a condition of release on bond related to an electronic
21 monitoring device, the personal bond office shall notify the court
22 before whom the case is pending of that violation.

23 SECTION 3. Subchapter P, Chapter 42A, Code of Criminal
24 Procedure, is amended by adding Article 42A.7515 to read as
25 follows:

26 Art. 42A.7515. NOTIFICATION BY SUPERVISION OFFICER
27 REGARDING ELECTRONIC MONITORING DEVICE VIOLATION. Not later than

1 48 hours after a supervision officer becomes aware that a defendant
2 supervised by the officer has violated a condition of community
3 supervision related to an electronic monitoring device, the
4 supervision officer shall notify the judge of that violation.

5 SECTION 4. Section 21.013(a)(1), Government Code, is
6 amended to read as follows:

7 (1) "Judicial work product" means written,
8 electronic, or oral material prepared or communications made in the
9 course of an adjudicatory proceeding before a court determining
10 legal rights, powers, duties, or privileges. The term includes all
11 drafts of opinions or orders and memoranda of law. The term does
12 not include information related to a person who is required to
13 submit to electronic monitoring of a person's location as part of an
14 electronic monitoring program under Article 42.035, Code of
15 Criminal Procedure, or as a condition of community supervision,
16 parole, mandatory supervision, or release on bail.

17 SECTION 5. Articles 17.431 and 42A.7515, Code of Criminal
18 Procedure, as added by this Act, apply only to a violation of a
19 condition of release on bond or a violation of a condition of
20 community supervision, as applicable, that occurs on or after the
21 effective date of this Act. A violation that occurs before the
22 effective date of this Act is governed by the law in effect on the
23 date the violation occurred, and the former law is continued in
24 effect for that purpose.

25 SECTION 6. This Act takes effect September 1, 2025.