

**SUBJECT:** Narrowing reporting obligations for personal bond pretrial release office

**COMMITTEE:** Criminal Jurisprudence — favorable, without amendment

**VOTE:** 7 ayes — Moody, Hunter, Canales, Gervin-Hawkins, Hefner, Lang,  
Wilson

0 nays

**WITNESSES:** For — Cygne Nemir, El Paso County; (*Registered, but did not testify:*  
Darwin Hamilton, Reentry Advocacy Project; Yannis Banks, Texas  
NAACP)

Against — None

**BACKGROUND:** Code of Criminal Procedure, art. 17.42 sec. 5(a)(1) requires a personal bond pretrial release office to 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.

Art. 17.42, sec. 6(a) requires personal bond offices to submit an annual report containing certain information about its operations during the previous year to the commissioners court or district and county judges that established the office. Among other information, the office is required to include in the report information about accused persons released on personal bond and details about their criminal history.

Some have expressed concerns that the reporting requirements regarding information about a defendant place an undue burden on personal bond pretrial release offices because the information often is inaccessible.

**DIGEST:** HB 3165 would limit a personal bond pretrial release office's preparation of records requirement to persons released on a personal bond before sentencing in a pending case.

The bill would remove the requirement that a personal bond office's

annual report include the number of accused persons released on personal bond who had been convicted of either the same offense or a felony within six years of the date on which charges were filed in the matter pending during the person's release.

The bill would require the annual report to include the number of individuals who were arrested for any other offense while on the personal bond only if the offense occurred in the same county in which they were released.

The bill would take effect September 1, 2017.

**NOTES:**

A companion bill, SB 1315 by Rodríguez, was referred to the Senate Criminal Justice Committee on March 14.