

BILL ANALYSIS

Senate Research Center
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S.B. 17
By: Nelson
Criminal Justice
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DIGEST AND PURPOSE

Currently, there is no existing requirement that advance notice of a request for reduced bail be given to a prosecutor. As a result, while the defense has an opportunity to provide the judge with information and rationale to support its request for a reduction, the prosecution may not have a similar opportunity. As proposed, S.B. 17 requires the prosecuting attorneys be given advance notice of a request for bail reduction for a defendant accused of a “3G” violent crime offense.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 17, Code of Criminal Procedure, by adding Article 17.331, as follows:

Art.17.331. NOTICE OF BAIL REDUCTION REQUIRED FOR CERTAIN DEFENDANTS.
Requires the magistrate to provide reasonable notice of the proposed bail reduction to the attorney representing the state before reducing the amount of bail set under this code for a defendant charged with or convicted of an offense listed in Section 3g(a) (1), Article 42.12.

SECTION 2. Effective date: September 1, 2001.