

BILL ANALYSIS

Senate Research Center
85R12182 JCG-F

H.B. 3165
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Criminal Justice
5/13/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that some reporting requirements of a personal bond pretrial release office regarding a defendant's criminal history or applicable post-trial events create an undue burden on these offices considering that relevant information is often inaccessible. H.B. 3165 addresses this issue by removing and revising certain reporting requirements of a personal bond pretrial release office with respect to information related to certain released defendants.

H.B. 3165 amends current law relating to the duties of a personal bond pretrial release office.

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 Section 5(a), Article 17.42, Code of Criminal Procedure, as follows:

(a) Requires a personal bond pretrial release office (office) established under this article (Personal Bond 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 before sentencing in a pending case.

SECTION 2. Amends Section 6(b), Article 17.42, Code of Criminal Procedure, as follows:

(b) Requires the office, in preparing an annual report under Subsection (a) (relating to requiring a personal bond office to submit a certain annual report), to include in the report a statement of:

(1) and (2) makes no changes to these subdivisions;

(3) the number of accused persons who, after review by the office, were released by a court on personal bond before sentencing in a pending case; and

(4) the number of persons described by Subdivision (3):

(A) who failed to attend a scheduled court appearance. Deletes existing text relating to the number of persons described by Subdivision (3) who were convicted of the same offense or of any felony within the six years preceding the date on which charges were filed in the matter pending during the person's release;

(B) for whom a warrant was issued for the arrest of those persons for failure to appear in accordance with the terms of their release, rather than for whom a warrant was issued for the person's arrest for failure to appear in accordance with the terms of the person's release; or

(C) who, while released on personal bond, were arrested for any other offense in the same county in which the persons were released on bond.
Makes nonsubstantive changes.

SECTION 3. Effective date: September 1, 2017.