CHAPTER 110

S.B. No. 599

1

AN ACT

2 relating to the eligibility of a criminal defendant for release
from jail after a delay in prosecution.

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

4 SECTION 1. Section 2, Article 17.151, Code of Criminal
Procedure, is amended to read as follows:

5 Sec. 2. The provisions of this article do not apply to a
defendant who is:

6 (1) serving a sentence of imprisonment for another
offense while the defendant [he] is serving that sentence;

7 (2) being detained pending trial of another accusation
against the defendant [him] as to which the applicable period has
not yet elapsed; [or]

8 (3) incompetent to stand trial, during the period of
the defendant's [his] incompetence; or

9 (4) being detained for a violation of the conditions
of a previous release related to the safety of a victim of the
alleged offense or to the safety of the community under this
article.

10 SECTION 2. Section 3, Article 17.151, Code of Criminal
Procedure, is repealed.

11 SECTION 3. This Act applies only to a person who is arrested
on or after the effective date of this Act, regardless of when the
offense giving rise to the arrest was committed. A person who is
arrested before the effective date of this Act is governed by the law in effect at the time of the arrest, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2005.

I hereby certify that S.B. No. 599 passed the Senate on April 7, 2005, by the following vote: Yeas 25, Nays 0.

I hereby certify that S.B. No. 599 passed the House on May 10, 2005, by a non-record vote.

Approved:

20 MAY 05

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE
7:20 PM OCTOBER

May 20, 2005

Secretary of State