1 AN ACT

- 2 relating to the eligibility of a criminal defendant for release
- 3 from jail after a delay in prosecution.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- 5 SECTION 1. Section 2, Article 17.151, Code of Criminal
- 6 Procedure, is amended to read as follows:
- 7 Sec. 2. The provisions of this article do not apply to a
- 8 defendant who is:
- 9 (1) serving a sentence of imprisonment for another
- offense while the defendant [he] is serving that sentence;
- 11 (2) being detained pending trial of another accusation
- 12 against the defendant [him] as to which the applicable period has
- 13 not yet elapsed; [ex]
- 14 (3) incompetent to stand trial, during the period of
- 15 <u>the defendant's [his]</u> incompetence; or
- 16 (4) being detained for a violation of the conditions
- 17 of a previous release related to the safety of a victim of the
- 18 alleged offense or to the safety of the community under this
- 19 article.
- SECTION 2. Section 3, Article 17.151, Code of Criminal
- 21 Procedure, is repealed.
- 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
- 24 offense giving rise to the arrest was committed. A person who is

- arrested before the effective date of this Act is governed by the 1
- law in effect at the time of the arrest, and the former law is 2
- continued in effect for that purpose. 3

4 SECTION 4. This Act takes effect September 1, 2005. President of the Senate

Speaker of the House

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

> Secretary of ≨enate

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

Chief Clerk of the Ho

Approved:

FILED IN THE OFFICE OF THE SECRETARY OF STATE 1:20 PM O'CLOCK

MAY, 2 0 2005