

Chapter 152

H.B. No. 643

AN ACT

relating to the procedures for discharging bail in certain criminal proceedings.

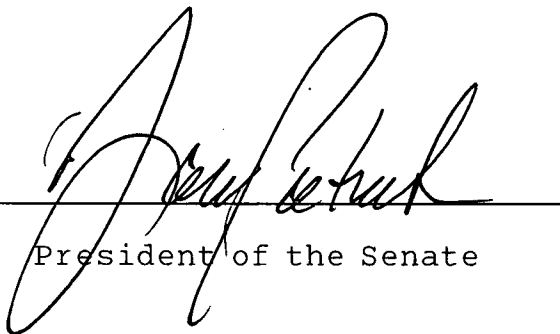
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 32.01, Code of Criminal Procedure, is amended to read as follows:

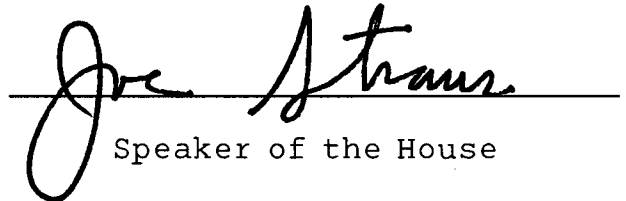
Art. 32.01. DEFENDANT IN CUSTODY AND NO INDICTMENT PRESENTED. (a) When a defendant has been detained in custody or held to bail for the defendant's [~~his~~] appearance to answer any criminal accusation, the prosecution, unless otherwise ordered by the court, for good cause shown, supported by affidavit, shall be dismissed and the bail discharged, if indictment or information be not presented against the [~~such~~] defendant on or before the last day of the next term of the court which is held after the defendant's [~~his~~] commitment or admission to bail or on or before the 180th day after the date of commitment or admission to bail, whichever date is later.

(b) A surety may file a motion under Subsection (a) for the purpose of discharging the defendant's bail only.

SECTION 2. This Act takes effect September 1, 2015.

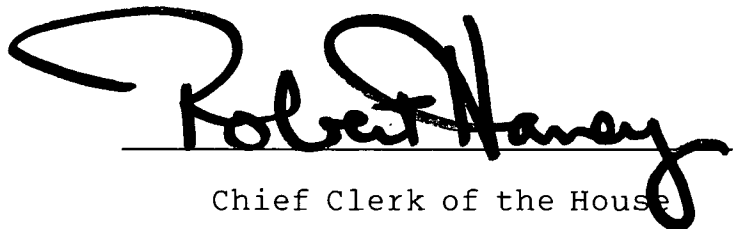


President of the Senate



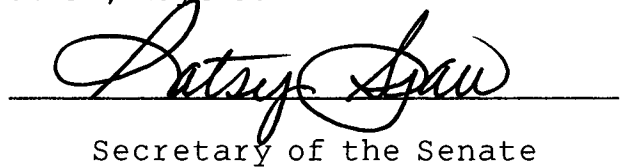
Speaker of the House

I certify that H.B. No. 643 was passed by the House on April 17, 2015, by the following vote: Yeas 142, Nays 0, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 643 was passed by the Senate on May 15, 2015, by the following vote: Yeas 31, Nays 0.



Secretary of the Senate

APPROVED: 5-28-2015

Date

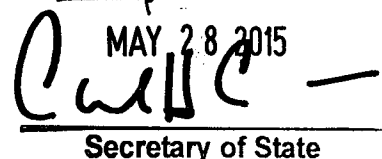


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

9 O'CLOCK

MAY 28 2015



Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 1, 2015

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB643 by Harless (Relating to the procedures for discharging bail in certain criminal proceedings.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure regarding procedures for discharging bail when an indictment or information has not been presented against a defendant in a certain period of time to add a new subsection clarifying that a court shall dismiss the prosecution and discharge the defendant's bail on its own motion or motion of the defendant or state's attorney.

Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, KJo, MW, GDz

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 2, 2015

TO: Honorable Jim Murphy, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB643 by Harless (relating to the procedures for discharging bail in certain criminal proceedings.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure regarding procedures for discharging bail when an indictment or information has not been presented against a defendant in a certain period of time to add a new subsection clarifying that a court shall dismiss the prosecution and discharge the defendant's bail on its own motion or motion of the defendant or state's attorney.

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Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, KJo, MW, GDz

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 17, 2015

TO: Honorable Jim Murphy, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB643 by Harless (Relating to the procedures for discharging bail in certain criminal proceedings.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure regarding procedures for discharging bail when an indictment or information has not been presented against a defendant in a certain period of time to add a new subsection clarifying that a court shall dismiss the prosecution and discharge the defendant's bail on its own motion or motion of the defendant or state's attorney.

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