

BILL ANALYSIS

Senate Research Center
80R12405 HLT-D

C.S.S.B. 1563
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Criminal Justice
5/10/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, county jails are overcrowded with defendants awaiting a probation revocation hearing and possible transfer to a state facility (blue warrants). They are faced with these state inmates possibly being remanded to a county facility for an excessive period of time pending a parole hearing. The increase of the blue warrant population in many county jails has increased operating costs and contributed to an increase in the overall jail population.

C.S.S.B. 1563 authorizes certain persons charged with certain new offenses or a violation of conditional release from the Texas Department of Criminal Justice to post bond pending a revocation hearing.

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 508.254, Government Code, by amending Subsection (c) and adding Subsections (d), (e), and (f), as follows:

(c) Establishes an exception as provided by Subsection (d).

(d) Authorizes a magistrate of the county in which a person is held in custody to release the person on bond pending a hearing on a charge of parole violation, ineligible release, or violation of a condition of mandatory supervision if certain conditions set forth in this subsection are met.

(e) Requires the pardon and paroles division to include a notice on the warrant for a person's arrest indicating that the person is eligible for release on bond under Subsection (d) if the division makes certain determinations set forth in this subsection.

(f) Provides that the provisions of Chapters 17 (Bail) and 22 (Forfeiture of Bail), Code of Criminal Procedure, apply to a person released under Subsection (d) in the same manner as those provisions apply to a person released pending an appearance before a court or magistrate, except that the release under this subsection is conditioned on the person's appearance at a hearing under this subchapter (Warrants).

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.