

BILL ANALYSIS

H.B. 2381
By: Dutton
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the bond procedures for an individual who has been released on parole or to mandatory supervision and subsequently commits and is charged with a new offense. It has been noted that such an individual may post bond for the new charge but still be subject to arrest for violating a condition of release, in which case the bond posted for the new charge would not apply. There are concerns that this could hinder the individual's ability to fight the new charge. H.B. 2381 seeks to address this issue by providing for the release of such an individual on personal bond if the individual posts bond for the new charge and is then arrested or held in custody for violating a condition of release.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2381 amends the Government Code to require the magistrate of a county in which a person is held in custody to release the person on personal bond pending the hearing if the person is arrested or held in custody on a charge that the person violated a condition of release on parole or to mandatory supervision by committing a new offense and the person has been released on bond for that offense.

EFFECTIVE DATE

September 1, 2019.