

BILL ANALYSIS

H.B. 4293
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Court reminder programs are a cost-effective solution that would improve the overall efficiency of Texas courts, as well as keeping people from being arrested for the failure to appear. It is noted that arrests for failure to appear typically happen when people simply forget about scheduled court dates and not because they are intentionally skipping their court dates. There have been calls to help reduce the number of criminal defendants who are committed to the custody of a county jail solely as a result of a failure to appear for scheduled court appearances, as well as calls to reduce costs associated with defendants failing to appear for their scheduled court appearances. H.B. 4293 seeks to address these issues by providing for a court reminder program that would text criminal defendants when their court dates are scheduled.

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. 4293 amends the Government Code to require the Office of Court Administration of the Texas Judicial System (OCA), not later than September 1, 2022, to develop and make available to each county a court reminder program that allows the county to send a text message to notify criminal defendants of scheduled court appearances. The bill sets out the purposes of the program and requires the program to do the following:

- be available to each county at no cost;
- comply with applicable state and federal laws requiring the consent of an individual before sending a reminder by text message;
- provide text message reminders for each court appearance of a defendant who has access to a device with the technological capability of receiving text messages and provides the court administrator with an operational phone number for the device;
- document each occurrence of a criminal defendant receiving a text message reminder;
- identify criminal defendants with scheduled court appearances who lack access to devices with the technological capability of receiving text messages;
- document the number of criminal defendants who fail to appear at scheduled court appearances after being sent one or more text message reminders;
- include the technological capability, at the discretion of the local administrative judge, to provide additional information to criminal defendants concerning scheduled court appearances;

- support partnerships with local law enforcement agencies, local governments, and local public defenders; and
- provide one or more publicly available websites through which criminal defendants may request text reminders.

H.B. 4293 requires the judges of the county courts, statutory county courts, and district courts with jurisdiction over criminal cases in each county, not later than September 1, 2022, to join the state court reminder program or develop a county court reminder program that meets the same requirements as the state program. The bill authorizes OCA or the judges of those courts to partner with municipalities and local law enforcement agencies to allow individuals whom a peace officer releases after issuing a citation and criminal defendants in municipal court to receive text message reminders of scheduled court appearances. The bill requires a municipality that partners with OCA to pay all costs of sending reminders to municipal criminal defendants, including the costs of linking the municipal court database with the state court administrator database.

EFFECTIVE DATE

September 1, 2021.