

BILL ANALYSIS

Senate Research Center

C.S.H.B. 577
By: Giddings (Nelson)
Criminal Justice
5/13/1999
Committee Report (Substituted)

DIGEST

Currently, Texas law allows a family violence suspect to be detained by a magistrate for 24 hours after bond is posted, in order to help insure the victim's safety. C.S.H.B. 577 would establish conditions regarding the period for which a person arrested or held without a warrant in the prevention of family violence may be held after bond is posted.

PURPOSE

As proposed, C.S.H.B. 577 establishes conditions regarding the period for which a person arrested or held without a warrant in the prevention of family violence may be held after bond is posted.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 17.291(b), Code of Criminal Procedure, to authorize a detention period to be extended for an additional period not to exceed 48 hours, but only if authorized in writing directed to the person having custody of the detained person by a magistrate who concludes that the violence would continue and that there is probable cause to believe that the person committed an offense. Deletes text regarding detention exceeding 24 hours. Makes a conforming change.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.