

BILL ANALYSIS

Senate Research Center
76R4920 GWK-D

S.B. 306
By: Lucio
Criminal Justice
2/11/1999
As Filed

DIGEST

Currently, a person convicted of certain crimes under the Health and Safety Code may request bail. S.B. 306 rescinds the eligibility of a defendant convicted of certain felonies, particularly serious brain injury to a baby, to obtain bail while pending an appeal.

PURPOSE

As proposed, S.B. 306 rescinds the eligibility of a defendant convicted of certain felonies to obtain bail while pending an appeal.

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 Articles 44.04(b) and (c), Code of Criminal Procedure, to prohibit a defendant from being released on bail pending appeal when the defendant has been convicted of an offense under Title 5, or Section 29.02 or 29.03, Penal Code, rather than Section 481.07(b)-(e), Health and Safety Code. Deletes reference to a punishment that does not exceed 15 years confinement. Makes conforming changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.