

## **BILL ANALYSIS**

Senate Research Center

H.B. 4037  
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Jurisprudence  
5/10/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, when a defendant who is arrested posts a bail bond, the state attorney in Webb and Zapata counties is limited to two grand jury terms to secure indictment before the bail bond becomes "stale." Once a bail bond becomes stale, the court cannot enter judgment to compel the defendant to forfeit the bond because grand jury terms for the 49th and 341st district courts in Webb and Zapata counties begin on the first Mondays in January, April, June, September, and November and an absent defendant who posts bond in March, but who is not indicted until September, is not subject to bond forfeiture.

H.B. 4037 closes the gap for the 49th and 341st district courts to allow the courts to secure bond forfeiture for absent defendants.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 24.151(e), Government Code, as follows:

(e) Provides that the terms of the 49th District Court and the 341st District Court begin in Webb County on the first Mondays in January, April, July, and October, rather than January, April, June, September, and November; and in Zapata County on the first Mondays in February, rather than March, and August.

SECTION 2. Repealer: Section 24.487(c) (providing that the terms of the 341st District Court (Webb County) begin on the first Mondays in January, March, May, July, September, and November, and that each term continues until the court disposes of its business), Government Code.

SECTION 3. Effective date: September 1, 2007.