

CHAPTER 396

S.B. No. 324

AN ACT

relating to establishing the amount of bail in a criminal case.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Article 17.15, Code of Criminal Procedure, is amended to read as follows:

Art. 17.15. RULES FOR FIXING AMOUNT OF BAIL. The amount of bail to be required in any case is to be regulated by the court, judge, magistrate or officer taking the bail; they are to be governed in the exercise of this discretion by the Constitution and by the following rules:

1. The bail shall be sufficiently high to give reasonable assurance that the undertaking will be complied with.
2. The power to require bail is not to be so used as to make it an instrument of oppression.

3. The nature of the offense and the circumstances under which it was committed are to be considered.

4. The ability to make bail is to be regarded, and proof may be taken upon this point.

5. The future safety of a victim of the alleged offense *and the community shall* [~~may~~] be considered.

SECTION 2. This Act takes effect September 1, 1993.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 15, 1993, by a viva-voce vote; passed the House on May 22, 1993, by a non-record vote.

Approved June 2, 1993.

Effective Sept. 1, 1993.