

**CHAPTER 921**

H.B. No. 784

AN ACT

relating to the representation on a county bail bond board of a county judge through a designee.

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

SECTION 1. Section 5(b), Chapter 550, Acts of the 63rd Legislature, Regular Session, 1973 (Article 2372p-3, Vernon's Texas Civil Statutes), is amended to read as follows:

(b) The County Bail Bond Board shall be composed of the following persons:

(1) the county sheriff [~~or his designee~~] or a designee from his office who may be his administrator or a deputy sheriff of the rank of sergeant or greater,

(2) a district judge of the county having jurisdiction over criminal matters designated by the presiding judge of the administrative judicial district;

- (3) the county judge or a member of the commissioners court designated by the county judge, *or a designee approved by the commissioners court*;
- (4) a judge of a county court or a county court at law in the county having jurisdiction over criminal matters designated by the commissioners court;
- (5) the district attorney or his designee *if that person is an assistant district attorney*;
- (6) a licensed bondsman, licensed in the county, elected by other county licensees;
- (7) a justice of the peace;
- (8) the district clerk or his designee; ~~and~~
- (9) the county clerk *or a designee from his office* ~~[or his designee]~~, except in those counties where the county clerk has no criminal matters jurisdiction; *and*
- (10) *the presiding municipal judge of the principal city in a county in which the principal city designates a presiding judge in its municipal court system.*

SECTION 2. Subsection (f), Section 6, Chapter 550, Acts of the 63rd Legislature, Regular Session, 1973 (Article 2372p-3, Vernon's Texas Civil Statutes), is amended to read as follows:

(f) Upon notice from the board that the application has been tentatively approved, the applicant shall then:

(1) deposit with the county treasurer of the county in which the license is to be issued a cashier's check, certificate of deposit, cash, or cash equivalent in the amount indicated by the applicant under Subdivision (5) of Subsection (a) of Section 6 of this Act but in no event less than *\$50,000 except in counties with populations of less than 250,000 persons by the most recent federal census, the amount for applicants in said counties shall be \$10,000* ~~[\$5,000]~~ to be held in a special fund to be called the bail security fund; or

(2) execute in trust to the board deeds to the property listed by the applicant under Subdivision (4) of Subsection (a) of Section 6 of this Act, which property shall be valued in the amount indicated on an appraisal by a member of the Society of Real Estate Appraisers ~~[Advisors]~~ or a Member of Appraisal Institute of the county in which it is located, but in no event less than *\$50,000* ~~[\$10,000]~~ valuation, *except in counties with populations of less than 250,000 persons by the most recent federal census, the amount for applicants in said counties shall be \$10,000*, the condition of the trust being that the property may be sold to satisfy any final judgment forfeitures that may be made in bonds on which the licensee is surety after such notice and upon such conditions as are required by the Code of Criminal Procedure, 1965, as amended, in bond forfeiture cases; the board shall file the deeds of trust in the records of each county in which the property is located, and the applicant shall pay the filing fees.

(3) If the licensee is a corporation, it shall furnish to the sheriff an irrevocable letter of credit as a cash equivalent to satisfy any final judgment of forfeiture that may be made on any bonds on which the corporate licensee is surety.

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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 15, 1987, by the following vote: Yeas 136, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 784 on May 30, 1987, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 784 on June 1, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 29, 1987, by the following vote: Yeas 28, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 784 on June 1, 1987, by the following vote: Yeas 31, Nays 0.

**70th LEGISLATURE—REGULAR SESSION**

**Ch. 922, § 1**

Approved June 20, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.