

1-1 By: Hinojosa, et al. (Senate Sponsor - Zaffirini) H.B. No. 4293  
 1-2 (In the Senate - Received from the House May 14, 2021;  
 1-3 May 14, 2021, read first time and referred to Committee on Criminal  
 1-4 Justice; May 22, 2021, reported favorably by the following vote:  
 1-5 Yeas 6, Nays 1; May 22, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14		X		

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the creation of a court reminder program for criminal  
 1-18 defendants.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Chapter 75, Government Code, is amended by  
 1-21 adding Subchapter J to read as follows:

1-22 SUBCHAPTER J. COURT REMINDER PROGRAM

1-23 Sec. 75.601. ESTABLISHMENT OF STATE PROGRAM FOR  
 1-24 PARTICIPATING COUNTIES. (a) The Office of Court Administration of  
 1-25 the Texas Judicial System shall develop and make available to each  
 1-26 county a court reminder program that allows the county to send a  
 1-27 text message to notify criminal defendants of scheduled court  
 1-28 appearances. The purposes of the program must include:

1-29 (1) reducing costs associated with defendants who fail  
 1-30 to appear for a scheduled court appearance;

1-31 (2) improving the efficiency of courts in this state;

1-32 (3) reminding criminal defendants to appear at each  
 1-33 scheduled court appearance; and

1-34 (4) reducing the number of criminal defendants who are  
 1-35 confined in a county jail due solely to the defendant's failure to  
 1-36 appear for a scheduled court appearance.

1-37 (b) The program must:

1-38 (1) be available to each county at no cost;

1-39 (2) comply with applicable state and federal laws  
 1-40 requiring the consent of an individual before sending a reminder by  
 1-41 text message;

1-42 (3) provide text message reminders for each court  
 1-43 appearance of a defendant who has access to a device with the  
 1-44 technological capability of receiving text messages and provides  
 1-45 the court administrator with an operational phone number for the  
 1-46 device;

1-47 (4) document each occurrence of a criminal defendant  
 1-48 receiving a text message reminder;

1-49 (5) identify criminal defendants with scheduled court  
 1-50 appearances who lack access to devices with the technological  
 1-51 capability of receiving text messages;

1-52 (6) document the number of criminal defendants who  
 1-53 fail to appear at scheduled court appearances after being sent one  
 1-54 or more text message reminders;

1-55 (7) include the technological capability, at the  
 1-56 discretion of the local administrative judge, to provide additional  
 1-57 information to criminal defendants concerning scheduled court  
 1-58 appearances, such as the location of the court appearance,  
 1-59 available transportation options, and procedures for defendants  
 1-60 who are unable to attend court appearances;

1-61 (8) support partnerships with local law enforcement

2-1 agencies, local governments, and local public defenders in  
2-2 accordance with the purposes described by Subsection (a); and  
2-3 (9) provide one or more publicly available Internet  
2-4 websites through which criminal defendants may request text  
2-5 reminders.

2-6 Sec. 75.602. ESTABLISHMENT OF COUNTY PROGRAMS. (a) The  
2-7 judges of the county courts, statutory county courts, and district  
2-8 courts with jurisdiction over criminal cases in each county shall  
2-9 establish a court reminder program that allows the county to send a  
2-10 text message to notify criminal defendants of scheduled court  
2-11 appearances.

2-12 (b) In developing the court reminder program, the judges may  
2-13 join the state program developed under Section 75.601 or develop a  
2-14 county program that allows the county to send text message  
2-15 notifications to criminal defendants and that complies with the  
2-16 requirements of Section 75.601(b).

2-17 Sec. 75.603. MUNICIPAL PROGRAM. (a) The Office of Court  
2-18 Administration of the Texas Judicial System, or the judges of the  
2-19 county courts, statutory county courts, and district courts with  
2-20 jurisdiction over criminal cases in each county, may partner with  
2-21 municipalities and local law enforcement agencies to allow:

2-22 (1) individuals to whom a peace officer issues a  
2-23 citation and releases to receive text message reminders of  
2-24 scheduled court appearances; and

2-25 (2) criminal defendants in municipal court to receive  
2-26 text message reminders of scheduled court appearances.

2-27 (b) Any municipality that partners with the Office of Court  
2-28 Administration of the Texas Judicial System shall pay all costs of  
2-29 sending reminders to municipal criminal defendants, including the  
2-30 costs of linking the municipal court database with the state court  
2-31 administrator database.

2-32 SECTION 2. Not later than September 1, 2022, the Office of  
2-33 Court Administration of the Texas Judicial System and the judges of  
2-34 the county courts, statutory county courts, and district courts  
2-35 with jurisdiction over criminal cases in each county shall develop  
2-36 and make available the court reminder program as required by  
2-37 Subchapter J, Chapter 75, Government Code, as added by this Act.

2-38 SECTION 3. This Act takes effect September 1, 2021.

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