

1-1 By: Bowers, et al. H.B. No. 2492
1-2 (Senate Sponsor - Hinojosa of Hidalgo)
1-3 (In the Senate - Received from the House May 7, 2025;
1-4 May 8, 2025, read first time and referred to Committee on Criminal
1-5 Justice; May 21, 2025, reported favorably by the following vote:
1-6 Yeas 6, Nays 0; May 21, 2025, sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9 Flores	X			
1-10 Parker	X			
1-11 Hagenbuch	X			
1-12 Hinojosa of Hidalgo	X			
1-13 Huffman			X	
1-14 King	X			
1-15 Miles	X			

1-16 A BILL TO BE ENTITLED
1-17 AN ACT

1-18 relating to the period for which a person arrested for certain
1-19 crimes involving family violence may be held after bond is posted.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Article 17.291(b), Code of Criminal Procedure,
1-22 is amended to read as follows:

1-23 (b) Article 17.29 does not apply when a person has been
1-24 arrested or held without a warrant in the prevention of family
1-25 violence if there is probable cause to believe the violence will
1-26 continue if the person is immediately released. The head of the
1-27 agency arresting or holding such a person shall ~~may~~ hold the
1-28 person for a period of ~~[not more than]~~ four hours after bond has
1-29 been posted. This detention period may be extended for an
1-30 additional period not to exceed 48 hours, but only if authorized in
1-31 a writing directed to the person having custody of the detained
1-32 person by a magistrate who concludes that:

1-33 (1) the violence would continue if the person is
1-34 released; and

1-35 (2) if the additional period exceeds 24 hours,
1-36 probable cause exists to believe that the person committed the
1-37 instant offense and that, during the 10-year period preceding the
1-38 date of the instant offense, the person has been arrested:

1-39 (A) on more than one occasion for an offense
1-40 involving family violence; or

1-41 (B) for any other offense, if a deadly weapon, as
1-42 defined by Section 1.07, Penal Code, was used or exhibited during
1-43 commission of the offense or during immediate flight after
1-44 commission of the offense.

1-45 SECTION 2. Article 17.291(b), Code of Criminal Procedure,
1-46 as amended by this Act, applies only to a person who is arrested on
1-47 or after the effective date of this Act. A person arrested before
1-48 the effective date of this Act is governed by the law in effect on
1-49 the date the person was arrested, and the former law is continued in
1-50 effect for that purpose.

1-51 SECTION 3. This Act takes effect September 1, 2025.

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