



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 4/6/2022

LGL Bail Bond Ordinance

Agenda Item#:

### **Summary:**

ORDINANCE adding Article X, Chapter 28 of the Code of Ordinances, Houston, Texas, establishing a minimum bail bond premium or payment for serious violent or sexual offenses; declaring certain conduct to be unlawful and proving a penalty therefore

### **Background:**

The City of Houston has experienced an increase in violent crimes and/or sexual offense. Several factors drove this increase: COVID-19 pandemic, social anxiety and economic uncertainty, the new Texas open-carry law, as well as our strained local criminal justice system.

On February 2, 2022, Mayor Turner announced and committed substantial City resources to the implementation of *One Safe Houston*, a comprehensive violence reduction initiative focused on:

- (1) Violence Reduction and Crime Prevention
- (2) Crisis Intervention, Response and Recovery
- (3) Youth Outreach Opportunities, and
- (4) Key Community Partnerships.

Currently, many bail bond businesses are requesting substantially less than the customary 10 percent premium (cash deposit or other security provided) of the bail.

As a component of *One Safe Houston*, the Administration requested bail bond businesses cease the practice of collecting less than the customary 10 percent premium of the bail amount when issuing surety bonds for the release of a person arrested and charged with committing a serious violent offense and/or sexual offense.

The Administration also requested the City of Houston Legal Department craft an ordinance to stop this practice thus making it unlawful for any person or entity licensed as a bail bond surety to collect a bail bond premium or payment in an amount less than 10 percent of the total surety bond amount of bail.

The City of Houston is a home-rule municipality pursuant to section 5, article 11 of the Texas Constitution and as such, is vested with the power of local self-government. Section 54.004 of the Texas Local Government Code authorizes home-rule municipalities to enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants.

The Administration requests that City Council adopt an ordinance making it unlawful for any person or entity licensed as a bail bond surety to collect a bail bond premium or payment in an amount less than ten percent of the total surety bond amount of bail set by a

magistrate or judge for release of a pretrial detainee charged in state court with committing a serious violent or sexual offense.

DocuSigned by:

Arturo Michel

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Arturo G. Michel, City Attorney

### **ATTACHMENTS:**

#### **Description**

Bail Bond Ordinance

#### **Type**

Ordinance/Resolution/Motion