

Felony Bond Schedule

A defendant who meets any of the criteria or is charged with any offense listed below will remain in custody and have a bail hearing at the 15.17 proceeding:

- Capital Felony
- First Degree Felony
- On bail for any felony charge
- On bail with multiple pending misdemeanor cases stemming from different arrest events
- Felony and twice convicted of a felony (higher than SJF)
- On felony probation or deferred adjudication
- Felony involving a deadly weapon and prior felony conviction
- NVCA flag or either the FTA or NCA risk score is 6*
- PC 22.02 - Aggravated Assault (family member)
- PC 25.07- Violation of Certain Court Orders or Conditions of Bond (family violence, sexual assault or abuse, stalking, or trafficking)
- PC 38.06- Escape
- PC 38.10- Bail Jumping and Failure to Appear
- PC 46.04 - Unlawful Possession of Firearm by felon

Otherwise, the table below contains the bond recommendation**

Offense	Below Average Risk (1-2)	Average Risk (3-4)	Above Average Risk (5)
State Jail Felony	Presumption PR Bond for Listed Offenses Other \$1,000	No Early Presentment Refer to Magistrate for PR Bond Other \$1,500	\$15,000
Third Degree	Presumption PR Bond for Listed Offenses Other \$2,500	\$5,000	\$10,000
Second Degree	\$10,000	\$20,000	\$30,000
Third Degree -- Specified Charges Intoxication offenses Assault Family Kidnapping Deadly Conduct Injury Child/Elderly	\$15,000	\$25,000	\$35,000
Second Degree -- Specified Charges Agg Assault Offenses Sexual Assaults Burglary Habitation Intoxication Manslaughter Manslaughter Compelling Prostitution	\$30,000	\$40,000	\$50,000

Risk Levels

* Definitions: NCA = new criminal activity; FTA = failure to appear; NVCA = new violent criminal activity

- High Risk -- An NVCA flag or either the FTA or NCA risk score is 6
- Above Average Risk -- Either the FTA or NCA risk score is 5
- Average Risk -- Either the FTA or NCA risk score is 3 or 4
- Below Average Risk -- Both FTA and NCA risk scores are 1 or 2

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Presumption of PR Bond

Credit/Debit Card Abuse 32.31(d)(SJF)	Insurance Fraud 35.02(c)(4)
Criminal Nonsupport 25.05	Money Laundering 34.02(e)(1)
Evading 38.04(b)(1)(a)	Theft of Service 31.04(e)(4)
False Alarm/Report 42.06(b)(SJF)	Theft 31.03 (e)(4)
Interference w/ Emerg Call 42.062(c) (w/ prior)	Trademark Counterfeiting 32.23(e)(4)
Prostitution 43.02(c)(2) and (c-1)(2)	Bigamy 25.01(e) (3 rd degree)
Possession/Delivery/Manufacture (SJF)	Hindering Sec'd Creditors 32.33(d)(4) and (e)(4)
Delivery of Marijuana less than 5 lb (SJF)	Interference with Railroad Property 28.07(e)(3)
Possession of Marijuana less than 5 lb (SJF)	Misapplication of Fiduciary Property 32.45(c)(4)
Possession of Marijuana 5-50 lbs (3 rd degree)	Unauthorized Use of Telecomm Services 33A.02(b)(3)
Criminal Mischief (28.03)(b)(4)	Forgery 32.21 (d)(SJF)
False Stmt to Obtain Property/Credit 32.32(c)(4)	Forgery 32.21(e) (3 rd degree)
Fraudulent Transfer of Motor Vehicle 32.34(f)(1)	Tampering with Evidence 37.09(c)(3 rd degree)
Unauth. Use Motor Vehicle 31.07(b)	Securing Execution of Document by Deception 32.46(b)(4)
Graffiti 28.08(b)(4)	Illegal Recruitment of Athlete 32.441(e)(4)

**** Code of Criminal Procedure art. 17.03**

(b) Only the court before whom the case is pending may release on personal bond a defendant who

(1) is charged with an offense under the following sections of the Penal Code

- (A) Section 19.03 (Capital Murder);
- (B) Section 20.04 (Aggravated Kidnapping);
- (C) Section 22.021 (Aggravated Sexual Assault);
- (D) Section 22.03 (Deadly Assault on Law Enforcement or Corrections Officer, Member or Employee of Board of Pardons and Paroles, or Court Participant);
- (E) Section 22.04 (Injury to a Child, Elderly Individual, or Disabled Individual);
- (F) Section 29.03 (Aggravated Robbery);
- (G) Section 30.02 (Burglary);
- (H) Section 71.02 (Engaging in Organized Criminal Activity);
- (I) Section 21.02 (Continuous Sexual Abuse of Young Child or Children); or
- (J) Section 20A.03 (Continuous Trafficking of Persons);

(2) is charged with a felony under Chapter 481, Health and Safety Code, or Section 485.033, Health and Safety Code, punishable by imprisonment for a minimum term or by a maximum fine that is more than a minimum term or maximum fine for a first degree felony; or

(3) does not submit to testing for the presence of a controlled substance in the defendant's body as requested by the court or magistrate under Subsection (c) of this article or submits to testing and the test shows evidence of the presence of a controlled substance in the defendant's body.

**EFFECTIVE
JULY 29, 2017**