

Charitable Bail Organizations

Art. 17.071 of the Code of Criminal Procedure outlines the guidelines for Charitable Bail Organizations. Charitable Bail Organizations are defined as a person who accepts and uses donations from the public to deposit money with a court in the amount of a defendant's bail bond. The term does **not** include a person accepting donations with respect to a defendant who is a member of the person's family, or a nonprofit corporation organized for a religious purpose. Additionally, this does **not** apply to a charitable bail organization that pays a bail bond for not more than three defendants in any 180-day period.

The office of the county clerk shall issue a certificate authorizing the charitable bail organization to pay bail bonds in the county after the clerk determines the organization is a nonprofit organization and current on all filings required by the Internal Revenue Code. The charitable bail organization shall file an affidavit in the office of the county clerk of each county where the organization intends to pay bail bonds, designating the individuals authorized to pay bonds on behalf of the organization.

Article 17.071 was amended pursuant to Senate Bill 9, from the 89th Regular Legislative Session. Effective September 1, 2025, a Charitable Bail Organization must and no later than the 10th day of each month, submit to the Office of Court Administration **and** to the sheriff of each county in which the charitable organization files an affidavit, a report that includes the following information for each defendant for whom the organization paid a bail bond in the preceding calendar month:

- the name of the defendant;
- the cause number of each case for which bond was paid;
- each charge for which the bond was paid;
- the category of offense for each charge for which the bond was paid;
- the amount of the bond paid for each case;
- the county in which the applicable charge is pending, if different from the county in which the bond was paid;
- any dates on which the defendant has failed to appear in court as required for the charge for which the bond was paid; and
- whether a bond forfeiture has occurred in connection with the charge for which the bond was paid.

These reports must be emailed to bail@txcourts.gov with the subject line in the following format: Charitable Bail Organization [Month Name] Report. In addition, organizations must follow any local jurisdictional procedures required to notify the Sheriff's office.

If there is reason to believe the charitable organization posting bail may have paid one or more bonds in violation of the notated article, the Office of Court Administration shall report that information to the sheriff of the county in which the suspected violation occurred; at which point the sheriff may suspend the organization's ability to pay bonds within the jurisdiction for a period of time not to exceed one year.