

1 AN ACT

2 relating to the discharge by certain defendants of fines and costs  
3 through community service.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article [45.041](#), Code of Criminal Procedure, is  
6 amended by adding Subsection (b-6) to read as follows:

7 (b-6) Notwithstanding Subsection (a-1) or any other  
8 provision of this chapter, when imposing a fine and costs, the  
9 justice or judge may not require a defendant who is under the  
10 conservatorship of the Department of Family and Protective Services  
11 or in extended foster care as provided by Subchapter G, Chapter [263](#),  
12 Family Code, to pay any amount of the fine and costs. In lieu of the  
13 payment of fine and costs, the justice or judge may require the  
14 defendant to perform community service as provided by Article  
15 [45.049](#), [45.0492](#), as added by Chapter 227 (H.B. 350), Acts of the  
16 82nd Legislature, Regular Session, 2011, or [45.0492](#), as added by  
17 Chapter 777 (H.B. 1964), Acts of the 82nd Legislature, Regular  
18 Session, 2011, as appropriate.

19 SECTION 2. The change in law made by this Act applies to a  
20 sentencing proceeding that commences before, on, or after the  
21 effective date of this Act.

22 SECTION 3. This Act takes effect September 1, 2021.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 80 was passed by the House on April 15, 2021, by the following vote: Yeas 127, Nays 18, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 80 was passed by the Senate on May 26, 2021, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor