

By: Bhojani, Bowers, Dorazio, Lujan, Collier

H.B. No. 4486

Substitute the following for H.B. No. 4486:

By: Bowers

C.S.H.B. No. 4486

A BILL TO BE ENTITLED

AN ACT

relating to design and use of a model criminal citation.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.36 to read as follows:

Art. 2.36. MODEL CITATION DESIGN. (a) In this article:

(1) "Citation" means any summons, ticket, or other official document issued to a person by a peace officer that requires the person to respond or appear.

(2) "Commission" means the Texas Commission on Law Enforcement.

(3) "Law enforcement agency" means an agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers.

(b) Not later than September 1 of each even-numbered year, each law enforcement agency shall adopt, implement, and, as necessary, amend the citation used by the agency. The citation implemented by the agency must conform to the model citation designed, adopted, and disseminated by the commission under this article.

(c) The commission shall design, adopt, and disseminate to each law enforcement agency in this state a model citation for the purpose of:

(1) reducing costs associated with the failure of a

1 person issued a citation to appear for a scheduled court
2 appearance; and

3 (2) improving the efficiency of courts in this state.

4 (d) The model citation adopted by the commission must:

5 (1) be based on credible field, academic, or
6 laboratory research;

7 (2) include important information at the top of the
8 citation;

9 (3) be written in clear, plain language and include,
10 as applicable:

11 (A) the date, time, and location at which a
12 person issued a citation must appear for court;

13 (B) the offense charged and the action the person
14 issued a citation is required to take regarding the charge;

15 (C) the consequences of missing a scheduled court
16 appearance;

17 (D) information regarding what the person issued
18 a citation may expect at court, including an assurance that the
19 person will not be arrested for an unresolved misdemeanor
20 punishable by fine only;

21 (E) the contact information and available hours
22 of the individual at the court who is able to provide additional
23 information to or answer questions from the person issued a
24 citation;

25 (F) details for any available resources to assist
26 with a court appearance, including resources that provide text
27 reminders, parking details, general directions to the court,

1 transportation options, child-care assistance, and rescheduling
2 instructions; and

3 (G) details for persons who are unable to afford
4 finances or costs imposed by a court, including details for a payment
5 plan, payment deferral, community service, and waiver or reduction
6 of the fines or costs; and

7 (4) include any other information, procedure, or best
8 practice that is supported by credible research or commonly
9 accepted as a means to achieve the purposes described by Subsection
10 (c).

11 (e) The commission shall consult with the following in
12 designing the model citation:

13 (1) the Bill Blackwood Law Enforcement Management
14 Institute of Texas located at Sam Houston State University;

15 (2) small, medium, and large law enforcement agencies;

16 (3) court clerks;

17 (4) the Office of Court Administration of the Texas
18 Judicial System;

19 (5) judges;

20 (6) public defenders; and

21 (7) prosecutors.

22 (f) The commission shall provide for a period of public
23 comment before adopting the model citation design.

24 (g) Not later than December 31 of each odd-numbered year,
25 the commission shall:

26 (1) review the model citation adopted under this
27 article;

1 (2) if appropriate, modify or update the design; and

2 (3) disseminate the design to each law enforcement
3 agency in this state.

4 SECTION 2. (a) Not later than December 31, 2023, the Texas
5 Commission on Law Enforcement shall design, adopt, and disseminate
6 the model citation required under Article 2.36, Code of Criminal
7 Procedure, as added by this Act.

8 (b) Not later than September 1, 2024, each law enforcement
9 agency to which Article 2.36, Code of Criminal Procedure, as added
10 by this Act, applies shall adopt a citation as required by that
11 article.

12 SECTION 3. This Act takes effect September 1, 2023.