

Amend SB 146 (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and by renumbering existing SECTIONS of the bill accordingly:

SECTION _____. Section 19, Article 42.12, Code of Criminal Procedure, is amended by amending Subsection (g) and adding Subsection (h) to read as follows:

(g) If the judge places on community supervision a person required to register as a sex offender under Chapter 62, the judge shall require as a condition of community supervision that the person pay to the person's supervising officer an amount equal to [a fee that equals] the [actual] cost, as evidenced by written receipt, incurred by [to] the applicable local law enforcement authority for providing notice for publication to a newspaper as required by Chapter 62. A political subdivision served by the local law enforcement authority may bill any unpaid amount, identified separately, within a bill for a utility service provided by the political subdivision to the person and may suspend service of the utility to a person who is delinquent in payment of the amount until the delinquent claim is fully paid to the political subdivision. A community supervision and corrections department or political subdivision, as applicable, shall remit an amount ~~[fees]~~ collected under this subsection to the applicable local law enforcement authority ~~[to reimburse the authority for the actual cost incurred by the authority, as evidenced by written receipt, for providing notice for publication to a newspaper as required by Chapter 62]~~. In this subsection, "utility service" means water, wastewater, sewer, gas, garbage, electricity, or drainage service.

(h) In a community supervision revocation hearing at which it is alleged only that the person violated the terms of community supervision by failing to make a payment under Subsection (g) ~~[this subsection]~~, the inability of the person to pay as ordered by the judge is an affirmative defense to revocation, which the person must prove by a preponderance of the evidence.

SECTION _____. Section 2(b), Article 42.22, Code of Criminal Procedure, is amended to read as follows:

(b) The state also has a restitution lien to secure the:

(1) amount of fines or costs entered against a

defendant in the judgment in a felony criminal case;

(2) amount of reimbursement for costs of:

(A) confinement ordered under Article 42.038; or

(B) notice provided under Article 62.03 or 62.04;

and

(3) amount of damages incurred by the state as a result of the commission of an offense under Section 38.04, Penal Code, in which the defendant used a motor vehicle while the defendant was in flight.

SECTION _____. Chapter 62, Code of Criminal Procedure, is amended by adding Article 62.041 to read as follows:

Art. 62.041. AUTHORITY OF POLITICAL SUBDIVISION TO COLLECT COSTS OF CERTAIN NOTICE. (a) In this article, "utility service" means water, wastewater, sewer, gas, garbage, electricity, or drainage service.

(b) A political subdivision served by a local law enforcement authority obtaining publication of notice under Article 62.03 or 62.04 may bill any unpaid amount under that article, identified separately, within a bill for a utility service provided by the political subdivision to the person who is the subject of the notice, and may suspend service of the utility to a person who is delinquent in payment of the amount until the delinquent claim is fully paid to the political subdivision.

(c) The political subdivision shall remit an amount collected under this article to the local law enforcement authority.

SECTION _____. Section 508.186, Government Code, is amended by adding Subsection (a-1) and amending Subsection (b) to read as follows:

(a-1) A political subdivision served by the local law enforcement authority may bill any unpaid amount under Subsection (a)(2), identified separately, within a bill for a utility service provided by the political subdivision to the releasee and may suspend service of the utility to a releasee who is delinquent in payment of the amount until the delinquent claim is fully paid to the political subdivision. In this subsection, "utility service" means water, wastewater, sewer, gas, garbage, electricity, or

drainage service.

(b) The division or political subdivision, as applicable,
shall remit an amount collected under this section to the
applicable local law enforcement authority.