

By: Canales

H.B. No. 2514

A BILL TO BE ENTITLED

AN ACT

relating to the penalty for littering.

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

SECTION 1. Section 365.012, Health and Safety Code, is amended by adding Subsection (p) to read as follows:

(p) On conviction of an offense under this section, the court shall require the defendant, in addition to any fine or confinement, to perform community service as provided by Section 16(e), Article 42.12, Code of Criminal Procedure.

SECTION 2. Section 16, Article 42.12, Code of Criminal Procedure, is amended by adding Subsection (e) to read as follows:

(e) A defendant required to perform community service under this section after conviction of an offense under Section 365.012(p), Health and Safety Code, shall work not less than 100 hours and not more than the maximum number of hours established by Subsection (b) on the basis of the classification of the offense. The community service must consist of picking up litter from streets, roads, or highways maintained by the state and must be completed not later than the first anniversary of the date of final conviction or, if the defendant is punished by confinement, not later than the first anniversary of the date on which the defendant is released from confinement.

SECTION 3. (a) This Act takes effect September 1, 2003.

(b) The change in law made by this Act applies only to an

1 offense committed on or after September 1, 2003. For purposes of  
2 this subsection, an offense is committed before September 1, 2003,  
3 if any element of the offense occurs before that date. An offense  
4 committed before September 1, 2003, is covered by the law in effect  
5 when the offense was committed, and the former law is continued in  
6 effect for that purpose.