

By: Anderson of McLennan

H.B. No. 1884

A BILL TO BE ENTITLED

AN ACT

relating to the penalties for certain littering offenses.

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

SECTION 1. Article [42A.304\(e\)](#), Code of Criminal Procedure, is amended to read as follows:

(e) A defendant required to perform community service under this article after conviction of an offense under Section [352.082](#), Local Government Code, or Section [365.012](#), [365.013](#), or [365.016](#), Health and Safety Code, shall perform the amount of service ordered by the court, which may not exceed 60 hours [~~of service~~]. The community service must consist of picking up litter in the county in which the defendant resides or working at a recycling facility if a program for performing that type of service is available in the community in which the court is located.

SECTION 2. Section [365.012](#), Health and Safety Code, is amended by adding Subsection (s) to read as follows:

(s) On conviction of an offense under this section, the court shall require the defendant, in addition to any fine or other penalty, to perform community service as provided by Article [42A.304\(e\)](#), Code of Criminal Procedure.

SECTION 3. Section [365.013](#), Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) On conviction of an offense under this section, the court shall require the defendant, in addition to any fine or other

1 penalty, to perform community service as provided by Article
2 42A.304(e), Code of Criminal Procedure.

3 SECTION 4. Section 365.016, Health and Safety Code, is
4 amended by adding Subsection (c) to read as follows:

5 (c) On conviction of an offense under this section, the
6 court shall require the defendant, in addition to any fine or other
7 penalty, to perform community service as provided by Article
8 42A.304(e), Code of Criminal Procedure.

9 SECTION 5. The changes in law made by this Act apply only to
10 an offense committed on or after the effective date of this Act. An
11 offense committed before the effective date of this Act is governed
12 by the law in effect on the date the offense was committed, and the
13 former law is continued in effect for that purpose. For purposes of
14 this section, an offense was committed before the effective date of
15 this Act if any element of the offense occurred before that date.

16 SECTION 6. This Act takes effect September 1, 2017.