

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 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 penalty, to perform community service as provided by Article

1 42A.304(e), Code of Criminal Procedure.

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

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

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

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