

## **BILL ANALYSIS**

C.S.H.B. 1908  
By: Moody  
Homeland Security & Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been noted that the Department of Public Safety is required to waive the surcharges imposed on an offender under the driver responsibility program once the convicting court is provided information establishing that the offender is indigent. C.S.H.B. 1908 seeks to address concerns that there is no time frame by which this information must be submitted by the court and that more types of information should be available to the offender as proof of indigence.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1908 amends the Transportation Code to require a court in which a person is convicted of an offense that is the basis of a surcharge under the driver responsibility program to notify the Department of Public Safety that the person is indigent for the purposes of the driver responsibility program as soon as practicable after the date the court receives information establishing the person's indigency. The bill includes among the documentation that may be used as proof of the person's indigency evidence that the person was represented by appointed counsel at the person's trial.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1908 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes among the documentation that may be used as proof of a person's indigency for purposes of the collection of a surcharge evidence that the person was represented by appointed counsel at the person's trial.