86R14537 AJZ-D

By:  Moody H.B. No. 1908

Substitute the following for H.B. No. 1908:

By:  Goodwin C.S.H.B. No. 1908

A BILL TO BE ENTITLED

AN ACT

relating to the indigent status of a person for purposes of the driver responsibility program.

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

SECTION 1.  Section 708.158, Transportation Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b)  A person must provide information to the court in which the person is convicted of the offense that is the basis for the surcharge to establish that the person is indigent. The following documentation may be used as proof:

(1)  a copy of the person's most recent federal income tax return that shows that the person's income or the person's household income does not exceed 125 percent of the applicable income level established by the federal poverty guidelines;

(2)  a copy of the person's most recent statement of wages that shows that the person's income or the person's household income does not exceed 125 percent of the applicable income level established by the federal poverty guidelines; [~~or~~]

(3)  documentation from a federal agency, state agency, or school district that indicates that the person or, if the person is a dependent as defined by Section 152, Internal Revenue Code of 1986, the taxpayer claiming the person as a dependent, receives assistance from:

(A)  the food stamp program or the financial assistance program established under Chapter 31, Human Resources Code;

(B)  the federal special supplemental nutrition program for women, infants, and children authorized by 42 U.S.C. Section 1786;

(C)  the medical assistance program under Chapter 32, Human Resources Code;

(D)  the child health plan program under Chapter 62, Health and Safety Code; or

(E)  the national free or reduced-price lunch program established under 42 U.S.C. Section 1751 et seq.; or

(4)  evidence that the person was represented by appointed counsel at the person's trial.

(c)  As soon as practicable after the date the court receives information described by Subsection (b) establishing that a person is indigent, the court shall notify the department that the person is indigent for the purposes of this chapter.

SECTION 2.  This Act takes effect September 1, 2019.