By: Johnson of Harris H.B. No. 1189

A BILL TO BE ENTITLED

AN ACT

relating to the discharge by certain defendants of fines and costs through community service.

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

SECTION 1. Article 45.041, Code of Criminal Procedure, is amended by adding Subsection (b-6) to read as follows:

(b-6) Notwithstanding any other provision of this chapter, when imposing a fine and costs, the justice or judge may not require a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care as provided by Subchapter G, Chapter 263, Family Code, to pay any amount of the fine and costs. If the full amount of the fine and costs is not waived under Article 45.0491, the justice or judge shall require the defendant to perform community service to discharge the unwaived amount of the fine and costs as provided by Article 45.049, 45.0492, as added by Chapter 227 (H.B. 350), Acts of the 82nd Legislature, Regular Session, 2011, or 45.0492, as added by Chapter 777 (H.B. 1964), Acts of the 82nd Legislature, Regular Session, 2011, as appropriate.

SECTION 2. The change in law made by this Act applies to a sentencing proceeding that commences before, on, or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2019.