

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

1

AN ACT

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

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

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

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

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

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

20 (3) documentation from a federal agency, state agency,  
21 or school district that indicates that the person or, if the person  
22 is a dependent as defined by Section 152, Internal Revenue Code of  
23 1986, the taxpayer claiming the person as a dependent, receives  
24 assistance from:

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

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

7 (C) the medical assistance program under Chapter  
8 32, Human Resources Code;

9 (D) the child health plan program under Chapter  
10 62, Health and Safety Code; or

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

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

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

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