

By: Bowers

H.B. No. 3303

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain procedures involving a violation of a condition
3 of community supervision committed by a defendant who is the sole
4 caretaker of a child.

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

6 SECTION 1. Article 42A.751, Code of Criminal Procedure, is
7 amended by adding Subsections (m), (n), and (o) to read as follows:

8 (m) When considering whether to revoke, continue, or modify
9 the community supervision of a defendant for a violation of a
10 condition of community supervision, the court shall, unless the
11 violation involves being arrested for, charged with, or convicted
12 of an offense other than a traffic offense that is punishable by
13 fine only, take into consideration whether the defendant is the
14 sole caretaker of a child.

15 (n) The attorney representing the state shall include in a
16 motion to revoke, continue, or modify community supervision a
17 statement from the defendant's supervision officer regarding
18 whether the defendant is a sole caretaker of a child.

19 (o) In this article, "sole caretaker of a child" means a
20 person who has assumed or will soon assume sole responsibility for a
21 dependent child younger than 18 years of age by providing for the
22 child's needs, including housing, health care, financial support,
23 education, family support, or safety.

24 SECTION 2. The change in law made by this Act applies to a

1 person on community supervision on or after the effective date of
2 this Act, regardless of whether the person was placed on community
3 supervision before, on, or after the effective date of this Act.

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