

## **BILL ANALYSIS**

C.S.H.B. 80  
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Juvenile Justice & Family Issues  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Reports indicate that the number of youth in foster care is increasing statewide with more than 11,000 children entering the conservatorship of the Department of Family and Protective Services (DFPS) over the last 10 years and that foster youth who accrue justice-related debts from unpaid fines and other court costs are more likely to reoffend when compared to their peers who are able to pay. C.S.H.B. 80 seeks to address this issue by prohibiting courts from requiring defendants under DFPS conservatorship or in extended foster care to pay fines and costs that might otherwise be charged for fine-only misdemeanors and by authorizing courts to prescribe community service in lieu of paying the fines and costs.

### **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. 80 amends the Code of Criminal Procedure to prohibit a justice of the peace or municipal court judge from requiring a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of a fine and costs imposed by the justice or judge. The bill authorizes the justice or judge to require the defendant to perform community service in lieu of the payment of fine and costs as appropriate. The bill applies to a sentencing proceeding that commences before, on, or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2021.

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

While C.S.H.B. 80 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 changes the requirement for a justice or judge to require the defendant to perform community service to discharge the unwaived amount of the fine or costs to an authorization for the justice or judge to require community service in lieu of the payment of fine and costs.