

## **BILL ANALYSIS**

C.S.H.B. 2646  
By: Johnson, Jarvis  
Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

When someone is released from prison, they are often tasked with finding stable housing, employment, and a means to provide for their basic needs. It is often difficult for many to accomplish those goals while also trying to make payments on their legal financial obligations (LFOs). In Texas, these LFOs are routinely imposed for felony and misdemeanor charges. State law stipulates maximum fines as well as minimum fees, provides for over 100 distinct court costs and fees, and charges additional fees if costs are not paid in full within 30 days of a judgment. C.S.H.B. 2646 seeks to create a more effective pathway for incarcerated people to achieve financial stability upon release by providing that a person incarcerated by the Texas Department of Criminal Justice or confined in a county jail does not have to pay LFOs while incarcerated or confined and by creating a 180-day grace period before requiring them to pay fines and court costs, which does not apply to restitution or supervision fees.

### **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. 2646 amends the Code of Criminal Procedure to require a judgment of an inmate to reflect the inmate's right to defer payment of certain fines and court costs owed to the state. The bill establishes that a person sentenced to imprisonment in the Texas Department of Criminal Justice (TDCJ) is not required to pay any fines or court costs owed to the state as follows:

- during the term of imprisonment, including while confined in a county jail awaiting transfer to TDCJ; or
- before the 181st day after the person's release:
  - on parole to mandatory supervision; or
  - following completion of the person's sentence.

The bill requires a person to contact and enter into a payment plan with the court clerk in each jurisdiction where the person owes fines or court costs not later than the 30th day following release on parole, mandatory supervision, or completion of the person's sentence. The bill's provisions relating to deferred payment while imprisoned in TDCJ or before the 181st day after a person's release do not apply to amounts owed for restitution or to amounts owed for supervision fees assessed as a condition of release.

C.S.H.B. 2646 applies to a defendant who is sentenced for an offense on or after the bill's effective date, regardless of whether the offense is committed before, on, or after that date.

**EFFECTIVE DATE**

September 1, 2023.

**COMPARISON OF INTRODUCED AND SUBSTITUTE**

C.S.H.B. 2646 differs from the introduced in minor or nonsubstantive ways by conforming to certain bill drafting conventions.