

By: Longoria

H.B. No. 541

Substitute the following for H.B. No. 541:

By: Herrero

C.S.H.B. No. 541

A BILL TO BE ENTITLED

AN ACT

relating to donations to certain local charities or veterans county service offices ordered to be paid as a condition of community supervision.

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

SECTION 1. Article 42A.304(f), Code of Criminal Procedure, is amended to read as follows:

(f) Instead of requiring the defendant to work a specified number of hours at one or more community service projects under Subsection (a), the judge may order a defendant to make a specified donation to:

(1) a nonprofit food bank or food pantry in the community in which the defendant resides;

(2) a charitable organization engaged primarily in performing charitable functions [~~for veterans~~] in the community in which the defendant resides for defendants under community supervision or for veterans;

(3) a veterans county service office created under Subchapter B, Chapter 434, Government Code, and operating in the county in which the defendant resides; or

(4) [~~(3)~~] in a county with a population of less than 50,000, another nonprofit organization that:

(A) is exempt from taxation under Section 501(a) of the Internal Revenue Code of 1986 because it is listed in Section

501(c)(3) of that code; and

(B) provides services or assistance to needy individuals and families in the community in which the defendant resides.

SECTION 2. Section 434.032(c), Government Code, is amended to read as follows:

(c) The commissioners court of a county that maintains an office:

(1) may not consider donations made [~~a juror's donation~~] to the office [~~of the juror's daily reimbursement~~] under Article 42A.304(f), Code of Criminal Procedure, or Section 61.003 for purposes of determining the county's budget for the office; and

(2) may use donations described by Subdivision (1) only to supplement, rather than supplant, amounts budgeted by the county for the office.

SECTION 3. This Act takes effect September 1, 2023.