

By: J. Johnson of Harris

H.B. No. 2646

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the payment of certain fines and court costs by an  
3 inmate during a term of imprisonment or following release from the  
4 Texas Department of Criminal Justice.

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

6 SECTION 1. Article 42.01, Code of Criminal Procedure, is  
7 amended by adding Section 17 to read as follows:

8 Sec. 17. In addition to the information described by  
9 Section 1, the judgment must reflect the inmate's right under  
10 Article 42.153 to defer payment of certain fines and court costs  
11 owed to the state.

12 SECTION 2. Chapter 42, Code of Criminal Procedure, is  
13 amended by adding Article 42.153 to read as follows:

14 Art. 42.153. DEFERRED PAYMENT OF CERTAIN FINES AND COURT  
15 COSTS. (a) Except as provided by Subsection (c), a person  
16 sentenced to imprisonment in the Texas Department of Criminal  
17 Justice is not required to pay any fines or court costs owed to the  
18 state:

19 (1) during the term of imprisonment, including while  
20 the person is confined in a county jail awaiting transfer to the  
21 department; or

22 (2) before the 181st day after the person's release:

23 (A) following completion of the person's  
24 sentence; or

1                   (B) on parole or to mandatory supervision.

2           (b) Not later than the 30th day following the person's  
3 release as described by Subsection (a)(2), the person shall contact  
4 the clerk of the court in each jurisdiction where the person owes  
5 finances or court costs and enter into a payment plan with the clerk of  
6 the court.

7           (c) This section does not apply to amounts owed for  
8 restitution or to amounts owed for supervision fees assessed as a  
9 condition of release.

10           SECTION 3. The change in law made by this Act applies to a  
11 defendant who is sentenced for an offense on or after the effective  
12 date of this Act, regardless of whether the offense is committed  
13 before, on, or after that date.

14           SECTION 4. This Act takes effect September 1, 2023.