

By: Vasut, et al.

H.B. No. 307

A BILL TO BE ENTITLED

AN ACT

relating to credit toward payment of fines and costs for certain defendants.

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

SECTION 1. Articles 43.09(a) and (k), Code of Criminal Procedure, are amended to read as follows:

(a) When a defendant is convicted of a misdemeanor and the defendant's punishment is assessed at a pecuniary fine or is confined in a jail after conviction of a felony for which a fine is imposed, if the defendant is unable to pay the fine and costs adjudged against the defendant, the defendant may for such time as will satisfy the judgment be put to work in the county jail industries program, in the workhouse, or on the county farm, or public improvements and maintenance projects of the county or a political subdivision located in whole or in part in the county, as provided in Article 43.10; or if there is no such county jail industries program, workhouse, farm, or improvements and maintenance projects, the defendant shall be confined in jail for a sufficient length of time to discharge the full amount of fine and costs adjudged against the defendant; rating such confinement at \$150 [~~\$100~~] for each day and rating such labor at \$150 [~~\$100~~] for each day; provided, however, that the defendant may pay the pecuniary fine assessed against the defendant at any time while the defendant is serving at work in the county jail industries program,

1 in the workhouse, or on the county farm, or on the public
2 improvements and maintenance projects of the county or a political
3 subdivision located in whole or in part in the county, or while the
4 defendant is serving the defendant's jail sentence, and in such
5 instances the defendant is entitled to the credit earned under this
6 subsection during the time that the defendant has served and the
7 defendant shall only be required to pay the balance of the pecuniary
8 fine assessed against the defendant. A defendant who performs labor
9 under this article during a day in which the defendant is confined
10 is entitled to both the credit for confinement and the credit for
11 labor provided by this article.

12 (k) A defendant is considered to have discharged \$150 [~~\$100~~]
13 of fines or costs for each eight hours of community service
14 performed under Subsection (f) of this article.

15 SECTION 2. Article [45A.251](#)(e), Code of Criminal Procedure,
16 is amended to read as follows:

17 (e) In addition to credit under Subsection (d), in imposing
18 a fine and costs in a case involving a misdemeanor punishable by
19 fine only, the justice or judge shall credit the defendant for any
20 period the defendant was confined in jail or prison while awaiting
21 trial or serving a sentence for another offense if that confinement
22 occurred after the commission of the misdemeanor. The credit under
23 this subsection shall be applied to the amount of the fine and costs
24 at the rate of not less than \$150 for each day of confinement.

25 SECTION 3. Article [45A.254](#)(e), Code of Criminal Procedure,
26 is amended to read as follows:

27 (e) A defendant is considered to have discharged not less

1 than \$150 [~~\$100~~] of fines or costs for each eight hours of community
2 service performed under this article.

3 SECTION 4. Article 45A.459(i), Code of Criminal Procedure,
4 is amended to read as follows:

5 (i) A defendant is considered to have discharged not less
6 than \$150 [~~\$100~~] of fines or costs for each eight hours of community
7 service performed under this article.

8 SECTION 5. Article 45A.460(i), Code of Criminal Procedure,
9 is amended to read as follows:

10 (i) A defendant is considered to have discharged not less
11 than \$150 [~~\$100~~] of fines or costs for each eight hours of community
12 service performed under this article.

13 SECTION 6. Article 43.09(a), Code of Criminal Procedure, as
14 amended by this Act, applies to a defendant who is confined or
15 performs labor to discharge fines or costs on or after the effective
16 date of this Act, regardless of whether the offense for which the
17 fines or costs were imposed occurred before, on, or after the
18 effective date of this Act.

19 SECTION 7. The changes in law made by this Act to Articles
20 43.09(k), 45A.254(e), 45A.459(i), and 45A.460(i), Code of Criminal
21 Procedure, apply to a defendant who performs community service to
22 discharge fines or costs on or after the effective date of this Act,
23 regardless of whether the offense for which the fines or costs were
24 imposed occurred before, on, or after the effective date of this
25 Act.

26 SECTION 8. Article 45A.251(e), Code of Criminal Procedure,
27 as amended by this Act, applies to a defendant who is sentenced for

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1 an offense on or after the effective date of this Act, regardless of
2 whether the offense was committed before, on, or after that date.

3 SECTION 9. This Act takes effect September 1, 2025.