

BILL ANALYSIS

H.B. 1189
By: Johnson, Jarvis
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Reports indicate that youths who cannot pay justice-related fines are more likely to reoffend when compared to those who are able to pay. H.B. 1189 seeks to ameliorate this issue for one portion of the juvenile community by requiring courts to prescribe community service to foster youths in the place of fines and costs that might otherwise be charged.

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

H.B. 1189 amends the Code of Criminal Procedure to prohibit a justice or judge, when imposing a fine and costs, from requiring a defendant who is under the conservatorship of the Department of Family and Protective Services (DFPS) or in extended foster care to pay any amount of the fine and costs. The bill requires the justice or judge, if the full amount of the fine and costs is not waived, to require the defendant to perform community service to discharge the unwaived amount of the 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, 2019.