

1-1 By: Anderson of McLennan H.B. No. 1884
 1-2 (Senate Sponsor - Kolkhorst)
 1-3 (In the Senate - Received from the House May 8, 2017;
 1-4 May 10, 2017, read first time and referred to Committee on Criminal
 1-5 Justice; May 19, 2017, reported favorably by the following vote:
 1-6 Yeas 6, Nays 1; May 19, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12		X		
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the penalties for certain littering offenses.
 1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-22 SECTION 1. Article [42A.304](#)(e), Code of Criminal Procedure,
 1-23 is amended to read as follows:
 1-24 (e) A defendant required to perform community service under
 1-25 this article after conviction of an offense under Section [352.082](#),
 1-26 Local Government Code, or Section [365.012](#), [365.013](#), or [365.016](#),
 1-27 Health and Safety Code, shall perform the amount of service ordered
 1-28 by the court, which may not exceed 60 hours [of service]. The
 1-29 community service must consist of picking up litter in the county in
 1-30 which the defendant resides or working at a recycling facility if a
 1-31 program for performing that type of service is available in the
 1-32 community in which the court is located.
 1-33 SECTION 2. Section [365.012](#), Health and Safety Code, is
 1-34 amended by adding Subsection (s) to read as follows:
 1-35 (s) On conviction of an offense under this section, the
 1-36 court shall require the defendant, in addition to any fine or other
 1-37 penalty, to perform community service as provided by Article
 1-38 [42A.304](#)(e), Code of Criminal Procedure.
 1-39 SECTION 3. Section [365.013](#), Health and Safety Code, is
 1-40 amended by adding Subsection (d) to read as follows:
 1-41 (d) On conviction of an offense under this section, the
 1-42 court shall require the defendant, in addition to any fine or other
 1-43 penalty, to perform community service as provided by Article
 1-44 [42A.304](#)(e), Code of Criminal Procedure.
 1-45 SECTION 4. Section [365.016](#), Health and Safety Code, is
 1-46 amended by adding Subsection (c) to read as follows:
 1-47 (c) On conviction of an offense under this section, the
 1-48 court shall require the defendant, in addition to any fine or other
 1-49 penalty, to perform community service as provided by Article
 1-50 [42A.304](#)(e), Code of Criminal Procedure.
 1-51 SECTION 5. The changes in law made by this Act apply only to
 1-52 an offense committed on or after the effective date of this Act. An
 1-53 offense committed before the effective date of this Act is governed
 1-54 by the law in effect on the date the offense was committed, and the
 1-55 former law is continued in effect for that purpose. For purposes of
 1-56 this section, an offense was committed before the effective date of
 1-57 this Act if any element of the offense occurred before that date.
 1-58 SECTION 6. This Act takes effect September 1, 2017.

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