

By: White

H.B. No. 3070

A BILL TO BE ENTITLED

AN ACT

relating to the payment of certain costs, fines, fees, or
restitution by a defendant placed on community supervision.

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

SECTION 1. Article [42A.701](#), Code of Criminal Procedure, is
amended by adding Subsection (e-1) to read as follows:

(e-1) Notwithstanding Subsection (e), on the expiration of
the period of community supervision of a defendant who has
satisfactorily fulfilled the conditions of community supervision,
other than a condition requiring the defendant to pay costs, fines,
fees, or restitution, the judge shall discharge the defendant if:

(1) the defendant has agreed to pay any unpaid amount
under a payment plan entered into under Section 76.019, Government
Code; and

(2) the defendant provides appropriate documentation
of the plan to the judge.

SECTION 2. Chapter [76](#), Government Code, is amended by
adding Section 76.019 to read as follows:

Sec. 76.019. PAYMENT PLAN. (a) A department shall
establish policies and procedures to authorize a defendant who has
fulfilled all programmatic requirements of the defendant's
community supervision but has not paid all of the supervision fees
owed to the department or any costs, fines, fees, or restitution
ordered as a condition of community supervision, to pay the unpaid

1 amount under a payment plan.

2 (b) A payment plan under Subsection (a) must provide that
3 the defendant:

4 (1) promises to pay the unpaid amount as specified by
5 the plan; and

6 (2) is required to make payments under the plan after
7 the date on which the defendant is discharged under Article
8 [42A.701\(e-1\)](#), Code of Criminal Procedure.

9 SECTION 3. Not later than February 1, 2018, each community
10 supervision and corrections department shall adopt policies and
11 procedures required by Section 76.019, Government Code, as added by
12 this Act.

13 SECTION 4. This Act takes effect September 1, 2017.