

## **BILL ANALYSIS**

Senate Research Center  
77R11696 GWK-F

H.B. 1541  
By: Luna, Vilma (West, Royce)  
Criminal Justice  
5/3/2001  
Engrossed

### **DIGEST AND PURPOSE**

Under current Texas law, a judge may require as a condition of community supervision that a defendant complete a specified number of community service hours. Some defendants under certain conditions experience some difficulty finding opportunities and completing the required community service hours. H.B. 1541 authorizes a judge to permit a defendant to substitute a charitable contribution to certain organizations for up to 20 of the defendant's required community service hours.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 16, Article 42.12, Code of Criminal Procedure, by adding Subsection (e), to authorize a judge to permit a defendant to substitute for community service otherwise required by this section a one-time contribution to a nonprofit or governmental program that includes as participants or recipients persons who are younger than 17 years of age and that regularly provides athletic, civic, cultural, or educational activity. Provides that for each amount contributed under this subsection that equals the amount of the federal minimum wage, the defendant is entitled to one hour's credit against required community service hours, except that a defendant is prohibited from receiving credit under this subsection for more than 20 hours of community service the judge requires under Subsection (b). Requires the department supervising the defendant to collect the contribution and forward the contribution to the program, as directed by the judge. Requires the judge, on permitting a payment under this subsection, to admonish the defendant that the payment is not a charitable contribution for the purposes of federal tax law.

SECTION 2. Effective date: September 1, 2001. Provides that this Act applies to a defendant placed on community supervision before, on, or after that date.