

BEGINNING SEPTEMBER 1, 2017: STATE LAW CHANGES TO HELP PEOPLE WHO CANNOT AFFORD FINES AND FEES



Senate Bill 1913 & House Bill 351, passed by the Texas legislature in 2017, are intended to improve fairness in criminal cases for people who cannot afford to pay fines and fees in criminal cases. Some of the changes apply to all criminal cases, and some apply only to Class C misdemeanor cases, like traffic tickets or city ordinance violations.

EXPANDED SENTENCING ALTERNATIVES

- A judge must ask about your ability to pay fines & costs when imposing a sentence.
- If you're unable to pay, the judge must offer you alternatives like community service, a payment plan, or a waiver (in full or in part) of the amount owed.
- Job skills training and GED prep classes, among other options, may qualify as community service, and you must be given at least \$12.50/hour credit towards what you owe.*



LIMITING ARRESTS



- If you haven't paid a fine as ordered, the judge must schedule a hearing where you can explain why you haven't paid, before issuing a warrant.
- If a warrant has been issued for your failure to pay fines, you should not be arrested if you voluntarily show up at court and work out a way to pay or otherwise resolve what you owe.
- If you're arrested for unpaid fines or failing to appear in court in a Class C case, the judge can't hold you in jail simply because you don't have enough money to post a bail bond.*

WHAT HASN'T CHANGED

- You can be jailed for not paying fines and fees, even in Class C cases.
- A warrant can be issued for your arrest if you fail to appear in court or fail to pay a fine, meaning you are at risk of being arrested & booked in jail anytime.
- Your driver's license can be suspended indefinitely if you fail to pay fines, meaning you may receive more tickets as a result of not paying your fines.
- Private collection agencies can contact you to collect amounts that you owe to the court and may charge up to 30% of the total owed as a fee.

If you are struggling to pay fines, have been jailed for not paying fines, or believe a court is not following the law, contact Texas Appleseed at info@texasappleseed.net or (512) 473-2800.

* Indicates the change in law described applies only to Class C misdemeanor cases.