

**TARRANT COUNTY  
CRIMINAL COURTS**

Tim Curry Criminal Justice Center  
401 West Belknap  
Fort Worth, Texas 76196-0211  
Tel: (817) 212-7027

January 20, 2023

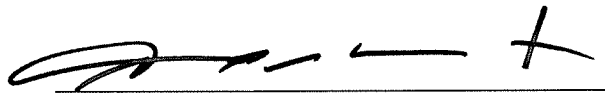
To The Honorable Tim O'Hare, Commissioner Roy Charles Brooks, Commissioner Alisa Simmons, Commissioner Gary Fickes, and Commissioner Manny Ramirez:

Attached are legislative amendments proposed by the District Courts Giving Preference to Criminal Cases, by the Tarrant County Criminal District Courts, and by the Tarrant County Criminal Courts. The signatory judges request that these proposals be included in Tarrant County's legislative agenda for the Texas Legislature's 88<sup>th</sup> Session.

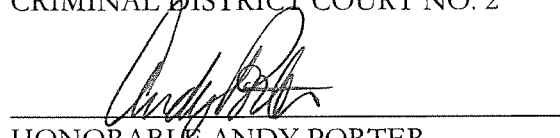
If you have any questions, please contact the Criminal Court Administrator, Greg Shugart, or our General Counsel, Amy Hennessee.


Signed on January 25, 2023, except as otherwise indicated at specific signatures below.

  
HONORABLE ELIZABETH H. BEACH  
CRIMINAL DISTRICT COURT NO. 1

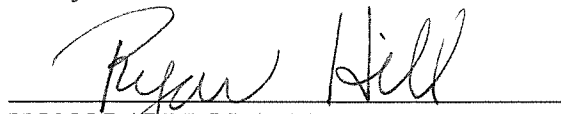
  
HONORABLE WAYNE F. SALVANT  
CRIMINAL DISTRICT COURT NO. 2


  
HONORABLE DOUGLAS A. ALLEN  
CRIMINAL DISTRICT COURT NO. 3

  
HONORABLE ANDY PORTER  
CRIMINAL DISTRICT COURT NO. 4

  
HONORABLE CHRIS WOLFE  
213<sup>th</sup> JUDICIAL DISTRICT COURT

  
HONORABLE DAVID C. HAGERMAN  
297<sup>th</sup> JUDICIAL DISTRICT COURT

  
HONORABLE RYAN HILL  
371<sup>st</sup> JUDICIAL DISTRICT COURT

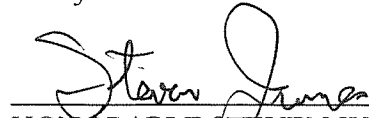
  
HONORABLE JULIE EUGO  
372<sup>nd</sup> JUDICIAL DISTRICT COURT



HONORABLE GEORGE GALLAGHER  
396<sup>th</sup> JUDICIAL DISTRICT COURT



HONORABLE RUBEN GONZALEZ, JR.  
432<sup>nd</sup> JUDICIAL DISTRICT COURT



HONORABLE STEVEN JUMES  
485<sup>th</sup> JUDICIAL DISTRICT COURT



HONORABLE DAVID E. COOK  
COUNTY CRIMINAL COURT NO. 1



HONORABLE BOB MCCOY  
COUNTY CRIMINAL COURT NO. 3



HONORABLE BRAD CLARK  
COUNTY CRIMINAL COURT NO. 5



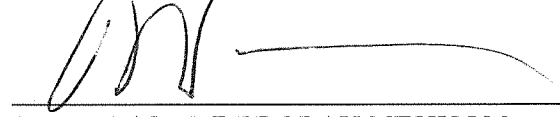
HONORABLE ERIC STARNES  
COUNTY CRIMINAL COURT NO. 7



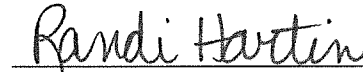
HONORABLE BRIAN BOLTON  
COUNTY CRIMINAL COURT NO. 9



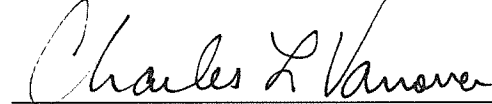
HONORABLE CAREY F. WALKER  
COUNTY CRIMINAL COURT NO. 2



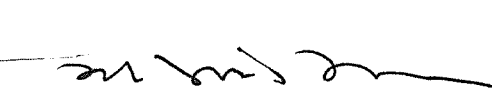
HONORABLE DEBORAH NEKHOM  
COUNTY CRIMINAL COURT NO. 4



HONORABLE RANDI HARTIN  
COUNTY CRIMINAL COURT NO. 6



HONORABLE CHARLES VANOVER  
COUNTY CRIMINAL COURT NO. 8



HONORABLE TRENT LOFTIN  
COUNTY CRIMINAL COURT NO. 10

## PROPOSED AMENDMENTS

### A. JUDICIAL DISTRICT COURTS

#### 1. Government Code § 24.392. 213th Judicial District (Tarrant County)

(a) The 213th Judicial District is composed of Tarrant County.

(b) The 213th District Court shall give preference to criminal cases.

(c) ~~(b)~~ The terms of the 213th District Court begin on the first Mondays in January, April, July, and October.

(d) ~~(e)~~ In addition to other jurisdiction provided by law, the 213th District Court has concurrent original jurisdiction with the county criminal courts in Tarrant County over misdemeanor cases.

##### Credits

Acts 1985, 69th Leg., ch. 480, § 1, eff. Sept. 1, 1985. Amended by Acts 2003, 78th Leg., ch. 21, § 1, eff. Sept. 1, 2003.

#### 2. Government Code § 24.516. 371st Judicial District (Tarrant County)

(a) The 371st Judicial District is composed of Tarrant County.

(b) The 371st District Court shall give preference to criminal cases.

(c) The terms of the 371st District Court begin on the first Mondays in January, April, July, and October.

(d) ~~(e)~~ In addition to other jurisdiction provided by law, the 371st District Court has concurrent original jurisdiction with the county criminal courts in Tarrant County over misdemeanor cases.

##### Credits

Added by Acts 1989, 71st Leg., ch. 632, § 2, eff. Sept. 1, 1990. Amended by Acts 2003, 78th Leg., ch. 21, § 3, eff. Sept. 1, 2003.

#### 3. Government Code § 24.517. 372nd Judicial District (Tarrant County)

(a) The 372nd Judicial District is composed of Tarrant County.

(b) The 372nd District Court shall give preference to criminal cases.

(c) The terms of the 372nd District Court begin on the first Mondays in January, April, July, and October.

(d) ~~(e)~~ In addition to other jurisdiction provided by law, the 372nd District Court has concurrent original jurisdiction with the county criminal courts in Tarrant County over misdemeanor cases.

##### Credits

Added by Acts 1989, 71st Leg., ch. 632, § 2, eff. Sept. 1, 1990. Amended by Acts 2003, 78th Leg., ch. 21, § 4, eff. Sept. 1, 2003.

#### 4. Government Code § 24.541. 396th Judicial District (Tarrant County)

(a) The 396th Judicial District is composed of Tarrant County.

- (b) The 396th District Court shall give preference to criminal cases ~~matters~~.
- (c) The terms of the 396th District Court begin on the first Mondays in January, April, July, and October.
- (d) ~~(e)~~ In addition to other jurisdiction provided by law, the 396th District Court has concurrent original jurisdiction with the county criminal courts and the justice courts in Tarrant County over misdemeanor cases.

#### **Credits**

Added by Acts 1999, 76th Leg., ch. 1337, § 7, eff. Jan. 1, 2000. Amended by Acts 2003, 78th Leg., ch. 21, § 5, eff. Sept. 1, 2003; Acts 2005, 79th Leg., ch. 75, § 1, eff. Sept. 1, 2005.

### **5. Government Code § 24.576. 432nd Judicial District (Tarrant County)**

- (a) The 432nd Judicial District is composed of Tarrant County.
- (b) The 432nd District Court shall give preference to criminal cases ~~matters~~.
- (c) The terms of the 432nd District Court begin on the first Mondays in January, April, July, and October.
- (d) In addition to other jurisdiction provided by law, the 432nd District Court has concurrent original jurisdiction with the county criminal courts in Tarrant County over misdemeanor cases.

#### **Credits**

Added by Acts 2009, 81st Leg., ch. 1103, § 3(a), eff. Sept. 1, 2009.

### **6. Government Code § 24.60030. 485th Judicial District (Tarrant County)**

- (a) The 485th Judicial District is composed of Tarrant County.
- (b) The 485th District Court shall give preference to criminal cases ~~matters~~.
- (c) The terms of the 485th District Court begin on the first Mondays in January, April, July, and October.
- (d) In addition to other jurisdiction provided by law, the 485th District Court has concurrent original jurisdiction with the county criminal courts in Tarrant County over misdemeanor cases.

#### **Credits**

Added by Acts 2021, 87th Leg., ch. 934 (H.B. 3774), § 1.03(a), eff. Jan. 1, 2022.

## **B. CRIMINAL DISTRICT COURTS**

### **1. Government Code § 24.910. Tarrant County Criminal Judicial District No. 1**

- (a) The Tarrant County Criminal Judicial District No. 1 is composed of Tarrant County.
- (b) Subchapter C applies to the Tarrant County Criminal District Court No. 1.
- (c) ~~(b)~~ This section applies to the Tarrant County Criminal District Courts Nos. 1, 2, and 3, and 4.
- (d) ~~(e)~~ The criminal district courts have jurisdiction of criminal cases within the jurisdiction of a district court. The criminal district courts also have concurrent original

jurisdiction with the county criminal courts in Tarrant County over misdemeanor cases. The criminal district courts do not have appellate misdemeanor jurisdiction.

~~(e)~~ (d) The terms of the criminal district courts begin on the first Mondays in January, April, July, and October.

~~(f)~~ (e) The judge of each criminal district court or county criminal court may, on motion of the judge or the criminal district attorney, transfer misdemeanor cases between the courts by an order entered in the minutes of the ~~transferring~~ transferor court. The clerk of the ~~transferring~~ transferor court shall certify the style and number of the case to the clerk of the transferee court ~~to which it is transferred~~ and include the papers of the case with the certification. The ~~receiving~~ clerk of the transferee court shall promptly docket the transferred case. The transferee ~~receiving~~ court shall dispose of the case as if it had been originally instituted in that court.

~~(f)~~ The criminal district courts nos. 1 and 2 shall have a seal similar to the seal of a district court with "Criminal District Court No. \_\_\_\_ of Tarrant County" engraved in the margin.

#### **Credits**

Acts 1985, 69th Leg., ch. 480, § 1, eff. Sept. 1, 1985.

### **2. Government Code § 24.911. Tarrant County Criminal Judicial District No. 2**

(a) The Tarrant County Criminal Judicial District No. 2 is composed of Tarrant County.

(b) Subchapter C applies to the Tarrant County Criminal District Court No. 2.

~~(c)~~ (b) Section 24.910, relating to the Tarrant County Criminal District Court No. 1, contains provisions applicable to both that court and the Tarrant County Criminal District Court No. 2.

#### **Credits**

Acts 1985, 69th Leg., ch. 480, § 1, eff. Sept. 1, 1985.

### **3. Government Code § 24.912. Tarrant County Criminal Judicial District No. 3**

(a) The Tarrant County Criminal Judicial District No. 3 is composed of Tarrant County.

(b) Subchapter C applies to the Tarrant County Criminal District Court No. 3.

~~(c)~~ (b) Section 24.910, relating to the Tarrant County Criminal District Court No. 1, contains provisions applicable to both that court and the Tarrant County Criminal District Court No. 3.

#### **Credits**

Acts 1985, 69<sup>th</sup> Leg., ch. 480, § 1, eff. Sept. 1, 1985.

### **4. Government Code § 24.913. Tarrant County Criminal Judicial District No. 4 ~~of Tarrant County~~**

(a) The Tarrant County Criminal Judicial District No. 4 ~~of Tarrant County~~ is composed of Tarrant County.

~~(b) The court shall give preference to criminal cases.~~

~~(e) The terms of court begin on the first Mondays in January, April, July, and October of each year.~~

~~(b) (d)~~ Subchapter C applies to the Tarrant County Criminal District Court No. 4 of Tarrant County.

~~(c)~~ Section 24.910, relating to the Tarrant County Criminal District Court No. 1, contains provisions applicable to both that court and the Tarrant County Criminal District Court No. 4.

~~(e) In addition to the jurisdiction provided by Subchapter C and other law, the Tarrant County Criminal District Court No. 4 has concurrent original jurisdiction with the county criminal courts in Tarrant County over misdemeanor cases.~~

### **Credits**

Acts 1985, 69th Leg., ch. 480, § 1, eff. Sept. 1, 1985. Amended by Acts 2003, 78th Leg., ch. 21, § 6, eff. Sept. 1, 2003.

## **C. STATUTORY COUNTY CRIMINAL COURTS**

### **Government Code § 25.2223. Tarrant County Criminal Court Provisions**

(a) A county criminal court in Tarrant County has jurisdiction over all criminal matters and causes, original and appellate, prescribed by law for county courts, but does not have civil jurisdiction. In addition to the jurisdiction provided by Section 25.0003 and other law, a county criminal court in Tarrant County has concurrent original jurisdiction of criminal cases within the jurisdiction of a district court. However, a county criminal court in Tarrant County does not have concurrent jurisdiction of felony cases involving capital murder. The County Criminal Courts Nos. 5 2 and 10 of Tarrant County also have concurrent jurisdiction within the county of all appeals from criminal convictions under the laws of this state and the municipal ordinances of the municipalities located in Tarrant County that are appealed from the justice courts and municipal courts in the county. ~~The County Criminal Courts Nos. 5, 7, 8, 9, and 10 of Tarrant County also have concurrent jurisdiction with the district court in felony cases to conduct arraignments, conduct pretrial hearings, and accept guilty pleas.~~

~~(b) A county criminal court or its judge may issue writs of injunction and all writs necessary for the enforcement of the jurisdiction of the court. It may issue writs of habeas corpus in cases in which the offense charged is within the jurisdiction of the court or of a court of inferior jurisdiction in the county. A county criminal court or its judge may punish for contempt as prescribed by law for county courts.~~

~~(c) Repealed by Acts 2011, 82nd Leg., 1st C.S., ch. 3 (H.B. 79), § 4.50(a)(85).~~

~~(d) Repealed by Acts 1991, 72nd Leg., ch. 746, § 70, eff. Oct. 1, 1991.~~

~~(e) Repealed by Acts 2011, 82nd Leg., 1st C.S., ch. 3 (H.B. 79), § 4.50(a)(85).~~

~~(b) (f)~~ The judge of a county criminal court shall be paid an annual salary in an amount that is not less than \$1,000 less than the total annual salary, including supplements and salary increases, paid any district judge in the county.

~~(g) Repealed by Acts 2011, 82nd Leg., 1st C.S., ch. 3 (H.B. 79), § 4.50(a)(85).~~

~~(h) Repealed by Acts 2011, 82nd Leg., 1st C.S., ch. 3 (H.B. 79), § 4.50(a)(85).~~

~~(c) (†) The official court reporter of a county criminal court is entitled to the same fees and salary as a district court reporter and shall perform the same duties and take the oath of office as provided by law for district court reporters. The official court reporter for the County Criminal Court No. 1 or 3 of Tarrant County is not required to take testimony in cases in which neither a party nor the judge demands it.~~

~~(d) (†) At least two bailiffs shall be assigned regularly to each the county criminal court County Criminal Court No. 1 of Tarrant County and the County Criminal Court No. 2 of in Tarrant County. Except as provided by Subsection (e) Subsection (j-2), each the judges of the a county criminal court County Criminal Courts Nos. 1 and 2 of Tarrant County shall each appoint one officer to act as bailiff of the judge's court, and the sheriff of Tarrant County shall appoint a bailiff for each court as prescribed by law. The bailiffs serve at the pleasure of the court and shall perform the duties required by the judge of the court to which the bailiffs are assigned.~~

~~(j-1) At least two bailiffs shall be assigned regularly to the County Criminal Courts Nos. 3, 4, 5, 6, 7, 8, 9, and 10 of Tarrant County. Except as provided by Subsection (j-2), each judge shall appoint one officer to act as the bailiff of the judge's court, and the sheriff of Tarrant County shall appoint a bailiff for each court as prescribed by law. A bailiff appointed under this subsection serves at the pleasure of the court and shall perform the duties required by the judge of the court to which the bailiff is assigned.~~

~~(e) (†-2) The judge of a county criminal court listed in Subsection (j) or (j-1) may authorize the sheriff to appoint all bailiffs in the judge's court. If the sheriff is authorized by a judge to make the judge's appointment under this subsection, the sheriff shall appoint at least two officers to act as bailiffs for the judge's court. A bailiff appointed under this subsection serves at the pleasure of the court and shall perform the duties required by the judge of the court to which the bailiff is assigned.~~

~~(f) (†) Section 25.0007 does not apply to a county criminal court in Tarrant County.~~

~~(g) (†) The County Criminal Courts Nos. 5 and 6 of Tarrant County and the County Criminal Court No. 6 of Tarrant County shall give preference to cases brought under Title 5, Penal Code, involving family violence as defined by Section 71.004, Family Code, and cases brought under Sections 25.07, 25.072, and 42.07(a)(2)072, Penal Code.~~

### **Credits**

Added by Acts 1987, 70th Leg., ch. 148, § 4.01, eff. Sept. 1, 1987. Amended by Acts 1987, 70th Leg., 2nd C.S., ch. 38, § 2, eff. Oct. 20, 1987; Acts 1989, 71st Leg., ch. 5, § 2(c), eff. March 22, 1989; Acts 1991, 72nd Leg., ch. 746, § 70, eff. Oct. 1, 1991; Acts 1997, 75th Leg., ch. 317, § 2, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 131, § 1, eff. May 16, 2001; Acts 2003, 78th Leg., ch. 62, § 2, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1276, §§ 7.002(n), 9.001(b), eff. Sept. 1, 2003; Acts 2011, 82nd Leg., ch. 934 (S.B. 1887), § 1, eff. Sept. 1, 2011; Acts 2011, 82nd Leg., 1st C.S., ch. 3 (H.B. 79), § 4.50(a)(85), eff. Jan. 1, 2012; Acts 2013, 83rd Leg., ch. 96 (S.B. 743), § 5, eff. Sept. 1, 2013; Acts 2019, 86th Leg., ch. 1352 (S.B. 346), § 4.11, eff. Jan. 1, 2020; Acts 2021, 87th Leg., ch. 934 (H.B. 3774), § 2.10, eff. Jan. 1, 2023.

## **D. CRIMINAL LAW MAGISTRATES**

### **1. Government Code § 54.651. Appointment**

- (a) The judges of the district courts of Tarrant County that give preference to criminal cases, the judges of the criminal district courts of Tarrant County, and the judges of the county criminal courts of Tarrant County, with the consent and approval of the Commissioners Court of Tarrant County, shall jointly appoint the number of magistrates set by the commissioners court to perform the duties authorized by this subchapter.
- (b) Each magistrate's appointment must be made with the approval of at least two-thirds of all the judges described in Subsection (a).
- (c) If the number of magistrates is less than the number of judges described in Subsection (a), each magistrate shall serve equally in the courts of those judges.
- (d) Once appointed, a magistrate may not engage in the practice of law in Tarrant County. For purposes of this subsection, the definition of "practice of law" in Section 81.101(a) controls.

#### **Credits**

Added by Acts 1987, 70th Leg., ch. 81, § 1, eff. Aug. 31, 1987. Amended by Acts 1997, 75th Leg., ch. 1147, § 1, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch. 910, § 1, eff. Sept. 1, 2003.

### **2. Government Code § 54.656. Proceeding That May Be Referred**

- (a) A judge may refer to a magistrate any criminal case or matter relating to a criminal case for proceedings involving:
  - (1) a negotiated plea of guilty or ~~no contest~~ nolo contendere and sentencing before the court;
  - (2) a bond forfeiture, remittitur, and related proceedings;
  - (3) a pretrial motion;
  - (4) a writ of habeas corpus;
  - (5) an examining trial;
  - (6) an occupational driver's license;
  - (7) a petition for an order of expunction under Chapter 55, Code of Criminal Procedure;
  - (8) an asset forfeiture hearing as provided by Chapter 59, Code of Criminal Procedure;
  - (9) a petition for an order of nondisclosure of criminal history record information or an order of nondisclosure of criminal history record information that does not require a petition provided by Subchapter E-1, Chapter 411;
  - (10) a motion to modify or revoke community supervision or to proceed with an adjudication of guilt;
  - (11) setting conditions, modifying, revoking, and surrendering of bonds, including surety bonds;
  - (12) specialty court proceedings;
  - (13) a waiver of extradition; and
  - (14) any other matter the referring judge considers necessary and proper.



(b) A judge may refer to a magistrate a civil case arising out of Chapter 59, Code of Criminal Procedure, for any purpose authorized by that chapter, including issuing orders, accepting agreed judgments, enforcing judgments, and presiding over a case on the merits if a party has not requested a jury trial.

(c) A magistrate may accept a plea of guilty from a defendant charged with a misdemeanor, a felony, or both misdemeanor and felony offenses.

(d) A magistrate may select a jury. A magistrate may not preside over a criminal trial on the merits, whether or not the trial is before a jury.

(e) A magistrate may not hear a jury trial on the merits of a bond forfeiture.

### **Credits**

Added by Acts 1987, 70th Leg., ch. 81, § 1, eff. Aug. 31, 1987. Amended by Acts 1997, 75th Leg., ch. 1147, § 2, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch. 910, § 2, eff. Sept. 1, 2003; Acts 2011, 82nd Leg., ch. 66 (S.B. 483), § 1, eff. Sept. 1, 2011; Acts 2015, 84th Leg., ch. 1279 (S.B. 1902), § 17, eff. Sept. 1, 2015; Acts 2017, 85th Leg., ch. 1045 (H.B. 1904), § 2, eff. Sept. 1, 2017.

### **3. Government Code § 54.6621 Clerk**

(a) The district clerk serves as clerk of the magistrate court, except that:

(1) after a Class A or Class B misdemeanor is filed in a county criminal court and assigned to the magistrate court, the county clerk serves as clerk for that misdemeanor case; and

(2) after a Class C misdemeanor is filed in a justice court and assigned to the magistrate court, the originating justice court clerk serves as clerk for that misdemeanor case.

(b) The district clerk shall establish a docket and keep the minutes for the cases filed in or transferred to the magistrate court. The local administrative district judge shall ensure that the duties required under this subsection are performed. To facilitate the duties associated with serving as the clerk of the magistrate court, the district clerk and the deputies of the district clerk may serve as deputy justice clerks and deputy county clerks at the discretion of the district clerk.

## **E. MISCELLANEOUS**

### **1. Texas Human Resources Code § 152.2264. Tarrant County Criminal Court Administrator**

(a) Subject to the approval of the commissioners court, the judges of the district courts that give preference to criminal cases, the judges of the criminal district courts of Tarrant County, and the judges of the county criminal courts of Tarrant County and county courts in Tarrant County that give preference to criminal matters and the judges of the criminal district courts may use the services of a criminal courts administrator.

(b) A judge may not be subjected to a suit for, and is immune from liability for damages arising from, an act or omission committed while performing a duty under this section unless the act or omission is:

(1) committed intentionally, willfully ~~wilfully~~, or wantonly; or

(2) committed with:

(A) gross negligence; ~~or~~

(B) conscious indifference ~~or reckless disregard~~ for the safety of others; or

(C) reckless disregard for the safety of others.

### **Credits**

Added by Acts 2005, 79th Leg., ch. 1352, § 24, eff. Sept. 1, 2005.

## **2. Code of Criminal Procedure Art. 42.15. Fines and Costs**

(a) When the defendant is fined, the judgment shall be that the defendant pay the amount of the fine and all costs to the state.

(a-1) Notwithstanding any other provision of this article, during or immediately after imposing a sentence in a case in which the defendant entered a plea in open court as provided by Article 27.13, 27.14(a), or 27.16(a), a court shall inquire on the record whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs. If the court determines that the defendant does not have sufficient resources or income to immediately pay all or part of the fine and costs, the court shall determine whether the fine and costs should be:

(1) subject to Subsection (c), required to be paid at some later date or in a specified portion at designated intervals;

(2) discharged by performing community service under, as applicable, Article 43.09(f), Article 45.049, Article 45.0492, as added by Chapter 227 (H.B. 350), Acts of the 82nd Legislature, Regular Session, 2011, or Article 45.0492, as added by Chapter 777 (H.B. 1964), Acts of the 82nd Legislature, Regular Session, 2011;

(3) waived in full or in part under Article 43.091 or 45.0491; or

(4) satisfied through any combination of methods under Subdivisions (1)-(3).

(a-2) A defendant may waive the requirement that the inquiry in Subsection (a-1) be on the record.

(b) Subject to Subsections (c) and (d) and Article 43.091, when imposing a fine and costs, a court may direct a defendant:

(1) to pay the entire fine and costs when sentence is pronounced;

(2) to pay the entire fine and costs at some later date; or

(3) to pay a specified portion of the fine and costs at designated intervals.

(c) When imposing a fine and costs in a misdemeanor case, if the court determines that the defendant is unable to immediately pay the fine and costs, the court shall allow the defendant to pay the fine and costs in specified portions at designated intervals.

(d) A judge may allow a defendant who is a child, as defined by Article 45.058(h), to elect at the time of conviction, as defined by Section 133.101, Local Government Code, to discharge the fine and costs by:

(1) performing community service or receiving tutoring under Article 45.0492, as added by Chapter 227 (H.B. 350), Acts of the 82nd Legislature, Regular Session, 2011; or

(2) paying the fine and costs in a manner described by Subsection (b).

(e) The election under Subsection (d) must be made in writing, signed by the defendant, and, if present, signed by the defendant's parent, guardian, or managing conservator. The court shall maintain the written election as a record of the court and provide a copy to the defendant.

(f) The requirement under Article 45.0492(a), as added by Chapter 227 (H.B. 350), Acts of the 82nd Legislature, Regular Session, 2011, that an offense occur in a building or on the grounds of the primary or secondary school at which the defendant was enrolled at the time of the offense does not apply to the performance of community service or the receipt of tutoring to discharge a fine or costs under Subsection (d)(1).

### **Credits**

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722. Amended by Acts 1971, 62nd Leg., p. 2990, ch. 987, § 1, eff. June 15, 1971; Acts 2011, 82nd Leg., ch. 464 (H.B. 27), § 2, eff. Sept. 1, 2011; Acts 2013, 83rd Leg., ch. 1320 (S.B. 395), § 1, eff. Sept. 1, 2013; Acts 2013, 83rd Leg., ch. 1407 (S.B. 393), § 1, eff. Sept. 1, 2013; Acts 2017, 85th Leg., ch. 977 (H.B. 351), § 4, eff. Sept. 1, 2017; Acts 2017, 85th Leg., ch. 1127 (S.B. 1913), § 4, eff. Sept. 1, 2017; Acts 2019, 86th Leg., ch. 1352 (S.B. 346), § 3.13(1), eff. Jan. 1, 2020; Acts 2021, 87th Leg., ch. 106 (S.B. 1373), § 1, eff. Sept. 1, 2021.