

**HOUSE**

**AMENDMENT NO. \_\_\_**

**Offered by**

**of**

1 AMEND House Committee Substitute for House Bill No. 727, Page 18,  
2 Section 304.028, Line 41, by inserting after all of said line the  
3 following:

4 "304.825. Notwithstanding any other provision of law, upon  
5 motion of the defendant, if the court finds that the defendant is  
6 indigent or is without sufficient disposable income to pay  
7 restitution, court costs, fees, expenses, or fines in whole or in  
8 installments over a period of one year, the court of jurisdiction  
9 shall be required to sentence the defendant to perform community  
10 service under such conditions as may be established by the court,  
11 in lieu of paying restitution, court costs, fees, expenses, or  
12 fines, for all traffic offenses deemed infractions or class C  
13 misdemeanors under this chapter or violations of any ordinance or  
14 political subdivision of this state. If a person is not  
15 indigent, the court of jurisdiction may offer community service  
16 in lieu of a fine for such offenses; however, the defendant shall  
17 be responsible for paying all court costs, fees, and expenses.  
18 Once a defendant is sentenced to perform community service in  
19 lieu of paying a fine under the provisions of this section, he or  
20 she shall be ineligible for a community service sentence for  
21 future traffic offenses within the same jurisdiction within the  
22 twelve-month time period following the date of the traffic  
23 offense for which community service was ordered."; and

24  
25 Further amend said title, enacting clause and intersectional  
26 references accordingly.

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Action Taken \_\_\_\_\_ Date \_\_\_\_\_