

## **BILL ANALYSIS**

H.B. 1080  
By: Driver  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Section 161.253(a), Health and Safety Code, currently requires a justice or municipal court to suspend execution of sentence for a first conviction for the offense of possession or consumption of tobacco products by an individual under 18 years of age. Current law does not expressly permit nor prohibit the collection of courts costs as in other actions involving the suspension of a sentence. The Comptroller of Public Accounts has encouraged the courts to collect court costs for suspension of sentence in tobacco-related cases. H.B. 1080 amends the Health and Safety Code to require the payment of court costs in order to have a sentence suspended for conviction of tobacco-related offenses by persons under the age of 18.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

Amends Section 161.253(a) of the Health and Safety Code to require the payment of court costs in order to have a sentence suspended for conviction of tobacco-related offenses by persons under the age of 18.

### **EFFECTIVE DATE**

September 1, 2005