

By: Gallegos

S.B. No. 437

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the suspended execution of the sentence for a tobacco
3 offense committed by a minor.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 161.253(a), Health and Safety Code, is
6 amended to read as follows:

7 (a) On conviction of an individual for an offense under
8 Section 161.252 and payment of court costs, the court shall suspend
9 execution of sentence and shall require the defendant to attend a
10 tobacco awareness program approved by the commissioner. The court
11 may require the parent or guardian of the defendant to attend the
12 tobacco awareness program with the defendant.

13 SECTION 2. (a) The change in law made by this Act to Section
14 161.253, Health and Safety Code, applies only to an offense
15 committed on or after the effective date of this Act. For purposes
16 of this section, an offense was committed before the effective date
17 of this Act if any element of the offense occurred before the
18 effective date.

19 (b) An offense committed before the effective date of this
20 Act is governed by the law in effect on the date the offense was
21 committed, and the former law is continued in effect for that
22 purpose.

23 SECTION 3. This Act takes effect September 1, 2005.