

By: Carona

S.B. No. 333

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the retention by a county or municipality of certain
3 court costs for maintaining and supporting a certified breath
4 alcohol testing program.

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

6 SECTION 1. Article 102.016(b), Code of Criminal Procedure,
7 is amended to read as follows:

8 (b) The custodian of a municipal or county treasury in a
9 county that maintains a certified breath alcohol testing program
10 but does not use the services of a certified technical supervisor
11 employed by the department may, to defray the costs of maintaining
12 and supporting a certified breath alcohol [~~breath~~] testing program,
13 retain \$22.50 of each court cost collected under Section 133.102,
14 Local Government Code, [~~Article 102.075~~] on conviction of an
15 offense under Chapter 49, Penal Code, other than an offense that is
16 a Class C misdemeanor.

17 SECTION 2. (a) The change in law made by this Act applies
18 only to a court cost collected on or after the effective date of
19 this Act. A court cost collected before the effective date of this
20 Act is governed by the law in effect when the court cost was
21 collected, and the law is continued in effect for that purpose.

22 (b) Notwithstanding Subsection (a) of this section, the
23 custodian of a municipal or county treasury may retain any amount
24 retained under Article 102.016(b), Code of Criminal Procedure,

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1 before the effective date of this Act to maintain and support a
2 certified breath alcohol testing program.

3 SECTION 3. This Act takes effect September 1, 2009.