

1-1 By: Carona S.B. No. 333  
1-2 (In the Senate - Filed December 2, 2008; February 11, 2009,  
1-3 read first time and referred to Committee on Transportation and  
1-4 Homeland Security; March 9, 2009, reported favorably by the  
1-5 following vote: Yeas 8, Nays 0; March 9, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the retention by a county or municipality of certain  
1-9 court costs for maintaining and supporting a certified breath  
1-10 alcohol testing program.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (b), Article 102.016, Code of  
1-13 Criminal Procedure, is amended to read as follows:

1-14 (b) The custodian of a municipal or county treasury in a  
1-15 county that maintains a certified breath alcohol testing program  
1-16 but does not use the services of a certified technical supervisor  
1-17 employed by the department may, to defray the costs of maintaining  
1-18 and supporting a certified breath alcohol [~~breath~~] testing program,  
1-19 retain \$22.50 of each court cost collected under Section 133.102,  
1-20 Local Government Code, [Article 102.075] on conviction of an  
1-21 offense under Chapter 49, Penal Code, other than an offense that is  
1-22 a Class C misdemeanor.

1-23 SECTION 2. (a) The change in law made by this Act applies  
1-24 only to a court cost collected on or after the effective date of  
1-25 this Act. A court cost collected before the effective date of this  
1-26 Act is governed by the law in effect when the court cost was  
1-27 collected, and the law is continued in effect for that purpose.

1-28 (b) Notwithstanding Subsection (a) of this section, the  
1-29 custodian of a municipal or county treasury may retain any amount  
1-30 retained under Subsection (b), Article 102.016, Code of Criminal  
1-31 Procedure, before the effective date of this Act to maintain and  
1-32 support a certified breath alcohol testing program.

1-33 SECTION 3. This Act takes effect September 1, 2009.

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