

By: Wentworth

S.B. No. 446

A BILL TO BE ENTITLED

AN ACT

relating to the use of certain court costs in a criminal case for municipal programs enhancing public safety and security.

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

SECTION 1. Subsection (g), Article 102.014, Code of Criminal Procedure, is amended to read as follows:

(g) In a municipality with a population less than 850,000 according to the most recent federal decennial census, the money collected under this article in a municipal court case must be used for a school crossing guard program if the municipality operates one. If the municipality does not operate a school crossing guard program or if the money received from court costs from municipal court cases exceeds the amount necessary to fund the school crossing guard program, the municipality may:

(1) deposit the additional money in an interest-bearing account;

(2) expend the additional money ~~it~~ for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or

(3) expend the additional money for programs designed to enhance public safety and security.

SECTION 2. Subsection (g), Section 502.173, Transportation Code, is amended to read as follows:

1           (g) A municipality with a population greater than 850,000  
2 shall deposit revenue from a fee imposed under this subsection to  
3 the credit of the child safety trust fund created under Section  
4 106.001, Local Government Code. A municipality with a population  
5 less than 850,000 shall use revenue from a fee imposed under this  
6 section in accordance with Article 102.014(g) [~~Subsection (f),~~  
7 ~~Article 102.014~~], Code of Criminal Procedure.

8           SECTION 3. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2009.