

1-1 By: Wentworth S.B. No. 446
1-2 (In the Senate - Filed January 9, 2009; February 17, 2009,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 2, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; March 2, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 446 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the use of certain court costs in a criminal case for
1-11 municipal programs enhancing public safety and security.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (g), Article 102.014, Code of
1-14 Criminal Procedure, is amended to read as follows:

1-15 (g) In a municipality with a population less than 850,000
1-16 according to the most recent federal decennial census, the money
1-17 collected under this article in a municipal court case must be used
1-18 for a school crossing guard program if the municipality operates
1-19 one. If the municipality does not operate a school crossing guard
1-20 program or if the money received from court costs from municipal
1-21 court cases exceeds the amount necessary to fund the school
1-22 crossing guard program, the municipality may:

1-23 (1) ~~either~~ deposit the additional money in an
1-24 interest-bearing account;

1-25 (2) ~~or~~ expend the additional money ~~it~~ for programs
1-26 designed to enhance child safety, health, or nutrition, including
1-27 child abuse prevention and intervention and drug and alcohol abuse
1-28 prevention; or

1-29 (3) expend the additional money for programs designed
1-30 to enhance public safety and security.

1-31 SECTION 2. Subsection (g), Section 502.173, Transportation
1-32 Code, is amended to read as follows:

1-33 (g) A municipality with a population greater than 850,000
1-34 shall deposit revenue from a fee imposed under this subsection to
1-35 the credit of the child safety trust fund created under Section
1-36 106.001, Local Government Code. A municipality with a population
1-37 less than 850,000 shall use revenue from a fee imposed under this
1-38 section in accordance with Article 102.014(g) [~~Subsection (f),~~
1-39 ~~Article 102.014~~], Code of Criminal Procedure.

1-40 SECTION 3. This Act takes effect immediately if it receives
1-41 a vote of two-thirds of all the members elected to each house, as
1-42 provided by Section 39, Article III, Texas Constitution. If this
1-43 Act does not receive the vote necessary for immediate effect, this
1-44 Act takes effect September 1, 2009.

1-45 * * * * *