

By: Patrick, Dan

S.B. No. 1174

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the disposition of the fines collected from persons  
3 issued citations for certain offenses by a school district peace  
4 officer.

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

6 SECTION 1. Subchapter B, Chapter 45, Code of Criminal  
7 Procedure, is amended by adding Article 45.061 to read as follows:

8 Art. 45.061. DISPOSITION OF FINES COLLECTED FROM PERSONS  
9 ISSUED CITATIONS BY SCHOOL DISTRICT PEACE OFFICER. (a) This  
10 article applies only to the fine imposed on a person who:

11 (1) is convicted of an offense that is punishable as a  
12 Class C misdemeanor and that occurs on the property of a school  
13 district; and

14 (2) was issued a citation for the offense by a school  
15 district peace officer.

16 (b) The officer collecting the fine from the person shall  
17 remit an amount equal to 50 percent of the fine to the school  
18 district that employed the school district peace officer who issued  
19 the citation to the person.

20 (c) To the extent of any conflict, this article prevails  
21 over Articles 45.203 and 103.004.

22 (d) In this article:

23 (1) "School district" means a school district  
24 authorized by Section 37.081, Education Code, to commission school

1 district peace officers.

2 (2) "School district peace officer" means a peace  
3 officer commissioned under Section 37.081, Education Code.

4 SECTION 2. Section 37.102, Education Code, is amended by  
5 adding Subsection (d) to read as follows:

6 (d) A school district that receives a portion of a fine  
7 imposed under this section as provided by Article 45.061, Code of  
8 Criminal Procedure, shall annually post on an Internet website  
9 maintained by the district the amount of funds received by the  
10 district and the manner in which the funds are spent. A school  
11 district that does not maintain an Internet website must publish  
12 the information required by this subsection in a newspaper in the  
13 district. If a newspaper is not published in the school district,  
14 the district shall provide for the publication of notice in at least  
15 one newspaper in the county in which the district's central  
16 administrative office is located.

17 SECTION 3. The change in law made by this Act applies only  
18 to the disposition of a fine that a judge or a justice of the peace  
19 imposes on or after September 1, 2009. The disposition of a fine  
20 that a judge or a justice of the peace imposed before September 1,  
21 2009, is covered by the law in effect when the fine was imposed, and  
22 the former law is continued in effect for that purpose.

23 SECTION 4. This Act takes effect September 1, 2009.