

AN ACT

relating to the conditions for granting an occupational license to certain persons, the monitoring of those persons by a local community supervision and corrections department, and the fees associated with department services.

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

SECTION 1. Subchapter L, Chapter 521, Transportation Code, is amended by adding Sections 521.2461 and 521.2462 to read as follows:

Sec. 521.2461. TESTING FOR ALCOHOL OR CONTROLLED SUBSTANCES. The court granting an occupational license under this subchapter may require as a condition of the license that the person submit to periodic testing for alcohol or controlled substances, to be conducted by an entity specified by the court, if the person's license has been suspended under Chapter 524 or 724 or as a result of the person's conviction of an offense involving the operation of a motor vehicle while intoxicated.

Sec. 521.2462. SUPERVISION OF PERSON ISSUED OCCUPATIONAL DRIVER'S LICENSE. (a) The court granting an occupational license under this subchapter may order the person receiving the license to:

(1) submit to supervision by the local community supervision and corrections department to verify compliance with the conditions specified by the order granting the license,

1 including the conditions specified in accordance with Section  
2 521.248; and

3 (2) pay a monthly administrative fee under Section  
4 76.015, Government Code.

5 (b) The court may order the supervision to continue until  
6 the end of the period of suspension of the person's driver's  
7 license, including any extensions of that period.

8 (c) The court for good cause may modify or terminate  
9 supervision before the end of the period of license suspension.

10 SECTION 2. Subsection (a), Section 521.248, Transportation  
11 Code, is amended to read as follows:

12 (a) An order granting an occupational license must specify:

13 (1) the hours of the day and days of the week during  
14 which the person may operate a motor vehicle;

15 (2) the reasons for which the person may operate a  
16 motor vehicle; ~~and~~

17 (3) areas or routes of travel permitted;

18 (4) that the person is restricted to the operation of a  
19 motor vehicle equipped with an ignition interlock device, if  
20 applicable; and

21 (5) that the person must submit to periodic testing  
22 for alcohol or controlled substances, if applicable.

23 SECTION 3. Subsection (c), Section 76.015, Government Code,  
24 is amended to read as follows:

25 (c) A department may assess a reasonable administrative fee  
26 of not less than \$25 and not more than \$60 [~~\$40~~] per month on an  
27 individual who participates in a department program or receives

1 department services and who is not paying a monthly fee under  
2 Section 19, Article 42.12, Code of Criminal Procedure.

3 SECTION 4. Section 103.0211, Government Code, is amended to  
4 read as follows:

5 Sec. 103.0211. ADDITIONAL FEES AND COSTS IN CRIMINAL OR  
6 CIVIL CASES: GOVERNMENT CODE. An accused or defendant, or a party  
7 to a civil suit, as applicable, shall pay the following fees and  
8 costs under the Government Code if ordered by the court or otherwise  
9 required:

10 (1) a court reporter fee when testimony is taken:

11 (A) in a criminal court in Dallas County (Sec.  
12 25.0593, Government Code) . . . \$3;

13 (B) in a county criminal court of appeals in  
14 Dallas County (Sec. 25.0594, Government Code) . . . \$3;

15 (C) in a county court at law in McLennan County  
16 (Sec. 25.1572, Government Code) . . . \$3; and

17 (D) in a county criminal court in Tarrant County  
18 (Sec. 25.2223, Government Code) . . . \$3;

19 (2) a court reporter service fee if the courts have  
20 official court reporters (Sec. 51.601, Government Code) . . . \$15  
21 or, in specified counties, \$30;

22 (3) a speedy trial filing fee in El Paso County (Sec.  
23 54.745, Government Code) . . . \$100;

24 (4) costs for use of magistrate in Brazos County (Sec.  
25 54.1116, Government Code) . . . not to exceed \$50;

26 (5) the costs of a criminal magistrate if the court  
27 determines that the nonprevailing party is able to defray the

1 costs:

2 (A) in Bexar County (Sec. 54.913, Government  
3 Code) . . . magistrate's fees;

4 (B) in Dallas County (Sec. 54.313, Government  
5 Code) . . . magistrate's fees;

6 (C) in Lubbock County (Sec. 54.883, Government  
7 Code) . . . magistrate's fees;

8 (D) in Tarrant County (Sec. 54.663, Government  
9 Code) . . . magistrate's fees;

10 (E) in Travis County (Sec. 54.983, Government  
11 Code) . . . magistrate's fees; and

12 (F) in Williamson County (Sec. 54.958,  
13 Government Code) . . . expense of the magistrate;

14 (6) an administrative fee for participation in certain  
15 community supervision programs (Sec. 76.015, Government Code)  
16 . . . not less than \$25 and not more than \$60 [~~\$40~~] per month; and

17 (7) fee paid on filing a petition for an order of  
18 nondisclosure of criminal history record information in certain  
19 cases (Sec. 411.081, Government Code) . . . \$28.

20 SECTION 5. Sections 521.2461 and 521.2462, Transportation  
21 Code, as added by this Act, and Subsection (a), Section 521.248,  
22 Transportation Code, as amended by this Act, apply only to a person  
23 whose license is suspended as a result of an offense that is  
24 committed or conduct that occurs on or after the effective date of  
25 this Act. A person whose license is suspended as a result of an  
26 offense that was committed or conduct that occurred before the  
27 effective date of this Act is covered by the law in effect when the

1 offense was committed or the conduct occurred, and the former law is  
2 continued in effect for that purpose.

3 SECTION 6. This Act takes effect September 1, 2011.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 953 passed the Senate on  
April 28, 2011, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 953 passed the House on  
May 20, 2011, by the following vote: Yeas 147, Nays 2, one  
present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor