

AN ACT

relating to the certification of alcohol awareness programs required for minors convicted of or receiving deferred disposition for certain alcohol offenses.

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

SECTION 1. Section 106.115(a), Alcoholic Beverage Code, is amended to read as follows:

(a) On the placement of a minor on deferred disposition for an offense under Section 49.02, Penal Code, or under Section 106.02, 106.025, 106.04, 106.041, 106.05, or 106.07, the court shall require the defendant to attend an alcohol awareness program approved by the Department of State Health Services under this section or a drug and alcohol driving awareness program approved by the Texas Education Agency [~~Texas Commission on Alcohol and Drug Abuse~~]. On conviction of a minor of an offense under one or more of those sections, the court, in addition to assessing a fine as provided by those sections, shall require a defendant who has not been previously convicted of an offense under one of those sections to attend an [the] alcohol awareness program or a drug and alcohol driving awareness program described by this subsection. If the defendant has been previously convicted once or more of an offense under one or more of those sections, the court may require the defendant to attend an [the] alcohol awareness program or a drug and alcohol driving awareness program described by this subsection. If

1 the defendant is younger than 18 years of age, the court may require
2 the parent or guardian of the defendant to attend the program with
3 the defendant. The Department of State Health Services [~~Texas~~
4 ~~Commission on Alcohol and Drug Abuse~~]:

5 (1) is responsible for the administration of the
6 certification of approved alcohol awareness programs;

7 (2) may charge a nonrefundable application fee for:

8 (A) initial certification of the approval; or

9 (B) renewal of the certification;

10 (3) shall adopt rules regarding alcohol awareness
11 programs approved under this section; and

12 (4) shall monitor, coordinate, and provide training to
13 a person who provides an alcohol awareness program.

14 SECTION 2. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 1020 was passed by the House on May 2, 2013, by the following vote: Yeas 147, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1020 was passed by the Senate on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor