

By: Reynolds

H.B. No. 1020

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the certification of alcohol awareness programs
3 required for minors convicted of or receiving deferred disposition
4 for certain alcohol offenses.

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

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

8 (a) On the placement of a minor on deferred disposition for
9 an offense under Section 49.02, Penal Code, or under Section
10 106.02, 106.025, 106.04, 106.041, 106.05, or 106.07, the court
11 shall require the defendant to attend an alcohol awareness program
12 approved by the Department of State Health Services under this
13 section or an alcohol awareness program approved by another state
14 agency before September 1, 2013 [~~Texas Commission on Alcohol and~~
15 ~~Drug Abuse~~]. On conviction of a minor of an offense under one or
16 more of those sections, the court, in addition to assessing a fine
17 as provided by those sections, shall require a defendant who has not
18 been previously convicted of an offense under one of those sections
19 to attend the alcohol awareness program. If the defendant has been
20 previously convicted once or more of an offense under one or more of
21 those sections, the court may require the defendant to attend the
22 alcohol awareness program. If the defendant is younger than 18
23 years of age, the court may require the parent or guardian of the
24 defendant to attend the program with the defendant. The Department

1 of State Health Services [~~Texas Commission on Alcohol and Drug~~
2 ~~Abuse~~]:

3 (1) is responsible for the administration of the
4 certification of approved alcohol awareness programs;

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

6 (A) initial certification of the approval; or

7 (B) renewal of the certification;

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

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

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