

1-1 By: Reynolds (Senate Sponsor - Huffman) H.B. No. 1020
 1-2 (In the Senate - Received from the House May 6, 2013;
 1-3 May 7, 2013, read first time and referred to Committee on Criminal
 1-4 Justice; May 15, 2013, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 15, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Whitmire	X			
1-8 Huffman	X			
1-9 Carona			X	
1-10 Hinojosa	X			
1-11 Patrick	X			
1-12 Rodriguez	X			
1-13 Schwertner	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the certification of alcohol awareness programs
 1-18 required for minors convicted of or receiving deferred disposition
 1-19 for certain alcohol offenses.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 106.115(a), Alcoholic Beverage Code, is
 1-22 amended to read as follows:

1-23 (a) On the placement of a minor on deferred disposition for
 1-24 an offense under Section 49.02, Penal Code, or under Section
 1-25 106.02, 106.025, 106.04, 106.041, 106.05, or 106.07, the court
 1-26 shall require the defendant to attend an alcohol awareness program
 1-27 approved by the Department of State Health Services under this
 1-28 section or a drug and alcohol driving awareness program approved by
 1-29 the Texas Education Agency [~~Texas Commission on Alcohol and Drug~~
 1-30 ~~Abuse~~]. On conviction of a minor of an offense under one or more of
 1-31 those sections, the court, in addition to assessing a fine as
 1-32 provided by those sections, shall require a defendant who has not
 1-33 been previously convicted of an offense under one of those sections
 1-34 to attend an [the] alcohol awareness program or a drug and alcohol
 1-35 driving awareness program described by this subsection. If the
 1-36 defendant has been previously convicted once or more of an offense
 1-37 under one or more of those sections, the court may require the
 1-38 defendant to attend an [the] alcohol awareness program or a drug and
 1-39 alcohol driving awareness program described by this subsection. If
 1-40 the defendant is younger than 18 years of age, the court may require
 1-41 the parent or guardian of the defendant to attend the program with
 1-42 the defendant. The Department of State Health Services [~~Texas~~
 1-43 ~~Commission on Alcohol and Drug Abuse~~]:

1-44 (1) is responsible for the administration of the
 1-45 certification of approved alcohol awareness programs;

1-46 (2) may charge a nonrefundable application fee for:

1-47 (A) initial certification of the approval; or

1-48 (B) renewal of the certification;

1-49 (3) shall adopt rules regarding alcohol awareness
 1-50 programs approved under this section; and

1-51 (4) shall monitor, coordinate, and provide training to
 1-52 a person who provides an alcohol awareness program.

1-53 SECTION 2. This Act takes effect immediately if it receives
 1-54 a vote of two-thirds of all the members elected to each house, as
 1-55 provided by Section 39, Article III, Texas Constitution. If this
 1-56 Act does not receive the vote necessary for immediate effect, this
 1-57 Act takes effect September 1, 2013.

1-58 * * * * *