Chapter 162

S.B. No. 446

AN ACT
relating to the use of certain court costs in a criminal case for
municipal programs enhancing public safety and security.

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

SECTION 1. Subsection (g), Article 102.014, Code of
Criminal Procedure, is amended to read as follows:

(g) In a municipality with a population less than 850,000
according to the most recent federal decennial census, the money
collected under this article in a municipal court case must be used
for a school crossing guard program if the municipality operates
one. If the municipality does not operate a school crossing guard
program or if the money received from court costs from municipal
court cases exceeds the amount necessary to fund the school
crossing guard program, the municipality may:

(1) [either] deposit the additional money in an
interest-bearing account;

(2) [or] expend the additional money [it] for programs
designed to enhance child safety, health, or nutrition, including
child abuse prevention and intervention and drug and alcohol abuse
prevention; or

(3) [or] expend the additional money for programs designed
to enhance public safety and security.

SECTION 2. Subsection (g), Section 502.173, Transportation
Code, is amended to read as follows:

1
S.B. No. 446

(g) A municipality with a population greater than 850,000 shall deposit revenue from a fee imposed under this subsection to the credit of the child safety trust fund created under Section 106.001, Local Government Code. A municipality with a population less than 850,000 shall use revenue from a fee imposed under this section in accordance with Article 102.014(g) [Subsection (f), Article 102.014], Code of Criminal Procedure.

SECTON 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.
S.B. No. 446

David Dewhurst
President of the Senate

I hereby certify that S.B. No. 446 passed the Senate on March 19, 2009, by the following vote: Yeas 31, Nays 0.

J. Straus
Speaker of the House

I hereby certify that S.B. No. 446 passed the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, one present not voting.

Secretary of the Senate

Robert Harary
Chief Clerk of the House

Filed
26 May '09
Date

Governor

Filed in the Office of the Secretary of State
5:00 O’clock

MAY 26 2009
Secretary of State