

AN ACT

relating to the name and use of the graffiti eradication fund.

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

SECTION 1. The heading to Article 102.0171, Code of Criminal Procedure, is amended to read as follows:

Art. 102.0171. COURT COSTS: JUVENILE DELINQUENCY PREVENTION [~~GRAFFITI ERADICATION~~] FUNDS.

SECTION 2. Articles 102.0171(c) and (d), Code of Criminal Procedure, are amended to read as follows:

(c) The clerks of the respective courts shall collect the costs and pay them to the county treasurer or to any other official who discharges the duties commonly delegated to the county treasurer for deposit in a fund to be known as the county juvenile delinquency prevention [~~graffiti eradication~~] fund. A fund designated by this subsection may be used only to:

(1) repair damage caused by the commission of offenses under Section 28.08, Penal Code;

(2) provide educational and intervention programs designed to prevent individuals from committing offenses under Section 28.08, Penal Code; [~~and~~]

(3) provide to the public rewards for identifying and aiding in the apprehension and prosecution of offenders who commit offenses under Section 28.08, Penal Code;

(4) provide funding for teen recognition and teen

1 recreation programs;

2 (5) provide funding for local teen court programs;

3 (6) provide funding for the local juvenile probation
4 department; and

5 (7) provide educational and intervention programs
6 designed to prevent juveniles from engaging in delinquent conduct.

7 (d) The county juvenile delinquency prevention [~~graffiti~~
8 ~~eradication~~] fund shall be administered by or under the direction
9 of the commissioners court.

10 SECTION 3. Section 54.0461, Family Code, is amended to read
11 as follows:

12 Sec. 54.0461. PAYMENT OF JUVENILE DELINQUENCY PREVENTION
13 [~~GRAFFITI ERADICATION~~] FEES. (a) If a child is adjudicated as
14 having engaged in delinquent conduct that violates Section 28.08,
15 Penal Code, the juvenile court shall order the child, parent, or
16 other person responsible for the child's support to pay to the court
17 a \$5 juvenile delinquency prevention [~~graffiti eradication~~] fee as
18 a cost of court.

19 (b) The court shall deposit fees received under this section
20 to the credit of the county juvenile delinquency prevention
21 [~~graffiti eradication~~] fund provided for under Article 102.0171,
22 Code of Criminal Procedure.

23 (c) If the court finds that a child, parent, or other person
24 responsible for the child's support is unable to pay the juvenile
25 delinquency prevention [~~graffiti eradication~~] fee required under
26 Subsection (a), the court shall enter into the child's case records
27 a statement of that finding. The court may waive a fee under this

1 section only if the court makes the finding under this subsection.

2 SECTION 4. (a) This Act takes effect September 1, 2003.

3 (b) This Act applies to a fee ordered by a juvenile court for
4 a violation of Section 28.08, Penal Code, on or after the effective
5 date of this Act, without regard to whether the conduct that is the
6 basis of the violation occurred before, on, or after that date.

David Swinhart

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 1828 was passed by the House on May 16, 2003, by a non-record vote.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 1828 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Daisy Spaw

Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:30 PM O'CLOCK

JUN 20 2003
Keen Shea
Secretary of State