

BILL ANALYSIS

Senate Research Center

S.B. 196
By: Zaffirini
Finance
1-21-97
As Filed

DIGEST

Currently, Article 42.12, Code of Criminal Procedure, does not authorize the Texas Commission on Alcohol and Drug Abuse (TCADA) to charge a fee for educational programs for repeat offenders required as a condition of community supervision for a person punished under Section 49.09, Penal Code, relating to enhanced offenses and penalties for crimes involving intoxication. The report of the Texas Senate Committee on Health and Human Services, *Interim Report on Improving Immunization Programs and Restricting Children's Access to Tobacco and Alcohol*, recommends that TCADA be allowed to charge a non-refundable application fee for the initial certification of such alcohol awareness programs. S.B. 196 authorizes TCADA to charge a fee for the initial and renewed certification of such programs.

PURPOSE

As proposed, S.B. 196 authorizes the Texas Commission on Alcohol and Drug Abuse to charge a fee for educational programs for repeat offenders who have been punished under Section 49.09, Penal Code, relating to enhanced offenses and penalties for crimes involving intoxication, and who are placed on community supervision by a judge.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 13(j), Article 42.12, Code of Criminal Procedure, to authorize the Texas Commission on Alcohol and Drug Abuse to charge a nonrefundable application fee for the initial certification of an educational program for repeat offenders who have been punished under Section 49.09, Penal Code, relating to enhanced offenses and penalties for crimes involving intoxication, and who are placed on community supervision by a judge, or for renewal of certification of such a program.

SECTION 2. Emergency clause.
 Effective date: upon passage.