BILL ANALYSIS

Senate Research Center
81R12163 SJM-D

C.S.S.B. 446
By: Wentworth
Jurisprudence
2/26/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a municipality with a population of less than 850,000 must use money collected from certain municipal court costs for a school crossing guard program. If the municipality does not operate a school crossing guard program or if the money received exceeds the amount necessary to fund a school crossing guard program, the municipality must either deposit the additional funds in an interest bearing account or use the funds for programs designed to enhance child safety, health, or nutrition.

C.S.S.B. 446 allows a municipality with a population of less than 850,000 that does not operate any of the programs under the current statute or has an excess of funds to expend such funds for programs designed to enhance public safety and security and requires a municipality with a population greater than 850,000 to deposit revenue from a fee imposed under Subsection 502.173(g) to the child safety trust fund created under Section 106.001 (Creation of Child Safety Trust Fund in Certain Municipalities).

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1.   Amends Article 102.014(g), Code of Criminal Procedure, to authorize a municipality with a population less than 850,000 that 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, to deposit the additional money in a certain account, expend the additional money for certain programs designed to enhance child safety, health or nutrition, or expend the additional money for programs designed to enhance public safety and security. Makes conforming changes.

SECTION 2.   Amends Section 502.173(g), Transportation Code, to require a municipality with a population greater than 850,000 to deposit revenue from a fee imposed under this subsection to the credit of the child safety trust fund created under Section 106.001 (Creation of Child Safety Trust Fund in Certain Municipalities), Local Government Code. Requires a municipality with a population less than 850,000 to use revenue from a fee imposed under this section in accordance with Article 102.014(g), rather than Subsection (f), Article 102.014, Code of Criminal Procedure.

SECTION 3.   Effective date: upon passage or September 1, 2009.