

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/29/09

Date


Honorable David Dewhurst
President of the Senate


Honorable Tom Craddick
Speaker of the House of Representatives

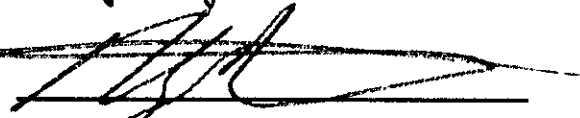
Sirs:

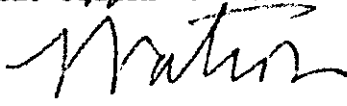
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 333 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.


Sen. John Carona


Rep. Jim Jackson


Sen. Judith Zaffirini



Rep. Wayne Christian



Sen. Kirk Watson


Rep. Allen Fletcher


Sen. Eliot Shapleigh


Rep. Carol Kent


On the part of the Senate
Sen. Robert Nichols


On the part of the House
Rep. Robert Miklos

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.B. No. 333

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the retention by a county or municipality of certain
3 court costs for maintaining and supporting a certified breath
4 alcohol testing program.

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

6 SECTION 1. Subsection (b), Article 102.016, Code of
7 Criminal Procedure, is amended to read as follows:

8 (b) The custodian of a municipal or county treasury in a
9 county that maintains a certified breath alcohol testing program
10 but does not use the services of a certified technical supervisor
11 employed by the department may, to defray the costs of maintaining
12 and supporting a certified breath alcohol [~~breath~~] testing program,
13 retain \$22.50 of each court cost collected under Section 133.102,
14 Local Government Code, [Article 102.075] on conviction of an
15 offense under Chapter 49, Penal Code, other than an offense that is
16 a Class C misdemeanor.

17 SECTION 2. (a) The change in law made by this Act applies
18 only to a court cost collected on or after the effective date of
19 this Act. A court cost collected before the effective date of this
20 Act is governed by the law in effect when the court cost was
21 collected, and the law is continued in effect for that purpose.

22 (b) Notwithstanding Subsection (a) of this section, the
23 custodian of a municipal or county treasury may retain any amount
24 retained under Subsection (b), Article 102.016, Code of Criminal

S.B. No. 333

1 Procedure, before the effective date of this Act to maintain and
2 support a certified breath alcohol testing program.

3 SECTION 3. This Act takes effect September 1, 2009.

Senate Bill 333
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION	HOUSE VERSION	CONFERENCE
SECTION 1. Article 102.016(b), Code of Criminal Procedure, is amended relating to the authority of a municipal or county treasury that maintains a certified breath alcohol testing program to retain a share of certain collected court costs.	Same as Senate version.	Same as Senate version.
No equivalent provision.	SECTION __. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.0161, SUPPLEMENTAL COSTS FOR BREATH ALCOHOL TESTING PROGRAM.	Same as Senate version.
No equivalent provision.	SECTION __. Subchapter C, Chapter 102, Government Code, is amended by adding Section 102.0412, SUPPLEMENTAL BREATH ALCOHOL TESTING PROGRAM FEE ON CONVICTION IN DISTRICT COURT: CODE OF CRIMINAL PROCEDURE.	Same as Senate version.
No equivalent provision.	SECTION __. Subchapter D, Chapter 102, Government Code, is amended by adding Section 102.0612, SUPPLEMENTAL BREATH ALCOHOL TESTING PROGRAM FEE ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE.	Same as Senate version.
No equivalent provision.	SECTION __. Subchapter E, Chapter 102, Government Code, is amended by adding Section 102.0812, SUPPLEMENTAL BREATH ALCOHOL TESTING PROGRAM FEE ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE.	Same as Senate version.

Senate Bill 333
Conference Committee Report
Section-by-Section Analysis

	SENATE VERSION	HOUSE VERSION	CONFERENCE
SECTION 2. Saving provision relating to the collection of court costs.		Same as Senate version.	Same as Senate version.
SECTION 3. Effective date.		Same as Senate version.	Same as Senate version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 30, 2009

TO: Honorable David Dewhurst , Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB333 by Carona (Relating to the retention by a county or municipality of certain court costs for maintaining and supporting a certified breath alcohol testing program.), **Conference Committee Report**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

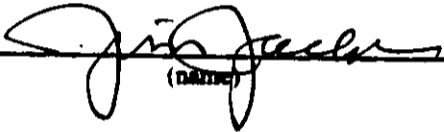
Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, ESi, KJG, DB

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on S. B. 333 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.


(name)

5-29-09
(date)