

CHAPTER 1038

H.B. No. 2608

AN ACT

relating to the dismissal of certain misdemeanor charges on completion of a teen court program.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article XVI, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), is amended by adding Section 143B to read as follows:

Sec. 143B. DISMISSAL OF CERTAIN MISDEMEANOR CHARGES ON COMPLETION OF A TEEN COURT PROGRAM. (a) If a minor who is at least 14 years of age but younger than 17 years of age is charged with a traffic offense to which Chapter 302, Acts of the 55th Legislature, Regular Session, 1957 (Article 6701d-4, Vernon's Texas Civil Statutes), applies, the court may defer proceedings and allow the minor 90 days to present written evidence that, subsequent to the alleged act, the minor has successfully completed a teen court program approved by the court, if:

- (1) the minor pleads nolo contendere or guilty to the offense in open court;*
- (2) the minor presents to the court an oral or written request to attend a teen court program;*
- (3) the minor's driving record does not indicate successful completion of a teen court program or a driving safety course under Section 143A of this Act within the two years preceding the date of the alleged offense; and*
- (4) the court has approved a teen court program operating in the county in which the court is located.*

(b) If the minor complies with Subsection (a) of this section and the evidence presented is accepted by the court, the court shall dismiss the charge.

(c) If a charge is dismissed under Subsection (b) of this section, the charge may not be part of a person's driving record or used for any purpose, but the court shall report the fact that a person has successfully completed a teen court program and the date of completion to the department for inclusion in the person's driving record.

(d) The court may require a minor requesting a teen court program to pay a fee set by the court at an amount that does not exceed \$10 to cover the cost of administering this section. Fees collected under this subsection by a municipal court shall be deposited in the municipal treasury. Fees collected by other courts shall be deposited in the county treasury of the county in which the court is located. If the minor requesting a teen court program fails to complete the program, the minor is not entitled to a refund of the fee required by this subsection.

SECTION 2. This Act takes effect September 1, 1987, and applies to the punishment of an offense committed on or after that date.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 22, 1987, by a non-record vote. Passed by the Senate on May 29, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective Sept. 1, 1987.