

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**May 3, 2005**

**TO:** Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB1245** by Hopson (Relating to the enforcement of the condition for release on bond of a defendant charged with certain intoxication offenses that requires the use of a motor vehicle ignition interlock device; providing penalties.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Code of Criminal Procedure as it relates to the enforcement of the condition for release on bond of a defendant charged with certain intoxication offenses that requires the use of a motor vehicle ignition interlock device and provide penalties.

The bill would require a magistrate to send a copy of the magistrate's order to the Department of Public Safety (DPS) within three days of the date the defendant is released on bond or is discharged and would require DPS to add within three days an appropriate notation to any driver's license record maintained by the department. A person who operates a motor vehicle without the ignition interlock device commits a Class B misdemeanor unless the person was charged with a felony offense or had previously been convicted of an offense under Chapter 38, Penal Code. Those charged with a felony or previously convicted of an offense under Chapter 38, Penal Code would commit a felony.

The bill would take effect September 1, 2005 and would apply only to defendants released on bond on or after the effective date of the act.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, KJG, JB, SJ, LM