

BILL ANALYSIS

S.B. 1083
By: Carona
Law Enforcement
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a judge is authorized to require a defendant to pay \$10 for a copy of his or her driving record from the Texas Department of Public Safety (DPS). If the defendant's driving record shows that the defendant has not completed a driving safety course or motorcycle operator training course, the judge may allow the defendant to complete the appropriate course. Fees are forwarded to the comptroller of public accounts (comptroller), who then sends the money to DPS.

S.B. 1083 modifies the amount of the fee, allows the use of TexasOnline and requires the fee to be sent to the comptroller without proration.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Article 45.0511(c-1), Code of Criminal Procedure, as follows:

(c-1) Defines "TexasOnline." Authorizes a judge, at the time the defendant requests a driving safety course or motorcycle operator training course dismissal, to require the defendant to pay certain fees and, using TexasOnline, request the Texas Department of Public Safety to provide the judge with the defendant's driving record that shows certain information. Requires the Texas Department of Public Safety to provide a copy of the defendant's driving record on request to the judge as soon as practicable and using TexasOnline. Requires the custodian of a municipal or county treasury who receives fees collected under this subsection to keep a record of the fees and, without deduction or proration, forward the fees to the comptroller of public accounts, with and in the manner required for other fees and costs received in connection with criminal cases.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.

EFFECTIVE DATE

September 1, 2007