

BILL ANALYSIS

Senate Research Center
80R17974 JD-F

C.S.S.B. 1083
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Criminal Justice
5/4/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a judge is authorized to require a defendant to pay \$10 for a copy of his or her driving record from the 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.

C.S.S.B. 1083 modifies the amount of the fee and requires the fee to be sent to the comptroller without proration.

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 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 a fee and, using TexasOnline, request the Texas Department of Public Safety (DPS) to provide the judge with the defendant's driving record that shows certain information. Requires DPS to provide a copy of the driving record on request. 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.