

By: Carona

S.B. No. 1083

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to authorizing a judge or justice of the peace to request  
3 and obtain a copy of certain defendants' driving records from the  
4 Department of Public Safety using TexasOnline.

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

6 SECTION 1. Article 45.0511(c-1), Code of Criminal  
7 Procedure, is amended to read as follows:

8 (c-1) In this subsection, "TexasOnline" has the meaning  
9 assigned by Section 2054.003, Government Code. As an alternative  
10 to receiving [~~presenting~~] the defendant's driving record [~~to the~~  
11 ~~court~~] under Subsection (c)(2), the judge, at the time the  
12 defendant requests a driving safety course or motorcycle operator  
13 training course dismissal under this article, may require the  
14 defendant to pay a fee in an amount equal to the amount of the fee  
15 established by Section 521.048, Transportation Code, and, using  
16 TexasOnline may request the Texas Department of Public Safety to  
17 provide the judge with [~~of \$10 for~~] a copy of the defendant's  
18 driving record that shows the information described by Section  
19 521.047(b), Transportation Code. As soon as practicable and using  
20 TexasOnline, [~~the judge may obtain a copy of the driving record~~  
21 ~~from~~] the Texas Department of Public Safety shall provide the judge  
22 with the requested copy of the defendant's driving record. The  
23 [~~\$10~~] fee authorized by [~~under~~] this subsection is in addition to  
24 any other fee required under this article. If the copy of the

1 defendant's driving record provided to the judge under this  
2 subsection shows that the defendant has not completed an approved  
3 driving safety course or motorcycle operator training course, as  
4 appropriate, within the 12 months preceding the date of the  
5 offense, the judge shall allow the defendant to complete the  
6 appropriate course as provided by this article. Fees [~~The~~  
7 ~~custodian of a municipal or county treasury who receives fees~~]  
8 collected under this subsection shall be forwarded to the Texas  
9 Department of Public Safety [~~keep a record of the fees and~~], without  
10 deduction, through the use of TexasOnline [~~forward the fees to the~~  
11 ~~comptroller, with and in the manner required for other fees and~~  
12 ~~costs received in connection with criminal cases. The comptroller~~  
13 ~~shall credit fees received under this subsection to the Texas~~  
14 ~~Department of Public Safety~~].

15 SECTION 2. (a) The change in law made by this Act applies  
16 only to an offense committed on or after September 1, 2007.

17 (b) An offense committed before September 1, 2007, is  
18 covered by the law in effect when the offense was committed, and the  
19 former law is continued in effect for that purpose. For purposes of  
20 this subsection, an offense was committed before September 1, 2007,  
21 if any element of the offense was committed before that date.

22 SECTION 3. This Act takes effect September 1, 2007.