

BILL ANALYSIS

Senate Research Center
81R1691 SJM-D

S.B. 566
By: Hegar
Criminal Justice
2/25/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

For prior convictions to be considered by the court, the prosecution must prove that the defendant is the same person named in the prior convictions. Under current law the defendant's thumbprint is added to the judgment. Unfortunately that thumbprint is often of poor quality, making it difficult and sometimes impossible to prove that a defendant is the same person named in the prior convictions.

Current law does not require the defendant's driver's license number or personal identification number and date to be included in the judgment.

As proposed, S.B. 566 requires that the defendant's driver's license number or personal identification number and date of birth be included in the judgment in a criminal case.

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 Section 1, Article 42.01, Code of Criminal Procedure, to require inclusion in a judgment of the defendant's state identification number required by Article 60.052(a)(2), rather than Section, 60.052(a)(2); the incident number required by Article 60.052(a)(2), rather than Section 60.052(a)(4); if available, the defendant's driver's license number or personal identification certificate number issued by either the Department of Public Safety or the equivalent agency in another state; and the defendant's date of birth.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.