

By: Carona

S.B. No. 329

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the automatic suspension of the driver's license of a  
3 person convicted of certain organized crime offenses; providing  
4 penalties.

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

6 SECTION 1. Subsection (a), Section 521.343, Transportation  
7 Code, is amended to read as follows:

8 (a) Except as provided by Sections 521.342(b), 521.344(a),  
9 (b), (d), (e), (f), (g), (h), and (i), 521.345, 521.346, 521.3465,  
10 [~~and~~] 521.351, and 521.352, a suspension under this subchapter is  
11 for one year.

12 SECTION 2. Subchapter O, Chapter 521, Transportation Code,  
13 is amended by adding Section 521.352 to read as follows:

14 Sec. 521.352. SUSPENSION OR PROHIBITION FOR CERTAIN  
15 ORGANIZED CRIME OFFENSES. (a) A person's license is automatically  
16 suspended on conviction of the person for an offense under Chapter  
17 71, Penal Code.

18 (b) The department may not issue a driver's license to a  
19 person convicted of an offense specified in Subsection (a) who, on  
20 the date of the conviction, did not hold a license.

21 (c) The period of license suspension or prohibition under  
22 this section begins on a date set by the court that is not earlier  
23 than the date of conviction or later than the 30th day after the  
24 date of conviction. The period of license suspension or

1 prohibition under this section expires on the first anniversary of  
2 the date the suspension or prohibition began.

3 SECTION 3. Section 521.457, Transportation Code, is amended  
4 by amending Subsection (e) and adding Subsection (f-2) to read as  
5 follows:

6 (e) Except as provided by Subsections (f), ~~[and]~~ (f-1), and  
7 (f-2), an offense under this section is a Class C misdemeanor.

8 (f-2) If it is shown on the trial of an offense under this  
9 section that the person operated a motor vehicle on a highway during  
10 a period that the person's driver's license was suspended under  
11 Section 521.352 or the person was prohibited from obtaining a  
12 driver's license under that section, the offense is a Class A  
13 misdemeanor.

14 SECTION 4. (a) The change in law made by this Act applies  
15 only to an offense committed on or after September 1, 2009.

16 (b) An offense committed before September 1, 2009, is  
17 covered by the law in effect when the offense was committed, and the  
18 former law is continued in effect for that purpose. For purposes of  
19 this subsection, an offense was committed before September 1, 2009,  
20 if any element of the offense was committed before that date.

21 SECTION 5. This Act takes effect September 1, 2009.