

1-1 By: Carona S.B. No. 329
1-2 (In the Senate - Filed December 1, 2008; February 11, 2009,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; April 8, 2009, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 8, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 329 By: Carona

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the automatic suspension of the driver's license of a
1-11 person convicted of certain organized crime offenses; providing
1-12 penalties.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (a), Section 521.343, Transportation
1-15 Code, is amended to read as follows:

1-16 (a) Except as provided by Sections 521.342(b), 521.344(a),
1-17 (b), (d), (e), (f), (g), (h), and (i), 521.345, 521.346, 521.3465,
1-18 ~~and~~ 521.351, and 521.352, a suspension under this subchapter is
1-19 for one year.

1-20 SECTION 2. Subchapter O, Chapter 521, Transportation Code,
1-21 is amended by adding Section 521.352 to read as follows:

1-22 Sec. 521.352. SUSPENSION OR PROHIBITION FOR CERTAIN
1-23 ORGANIZED CRIME OFFENSES. (a) A person's license is automatically
1-24 suspended on conviction of the person for an offense under Chapter
1-25 71, Penal Code.

1-26 (b) The department may not issue a driver's license to a
1-27 person convicted of an offense specified in Subsection (a) who, on
1-28 the date of the conviction, did not hold a license.

1-29 (c) The period of license suspension or prohibition under
1-30 this section begins on a date set by the court that is not earlier
1-31 than the date of conviction or later than the 30th day after the
1-32 date of conviction. The period of license suspension or
1-33 prohibition under this section expires on the first anniversary of
1-34 the date the suspension or prohibition began.

1-35 SECTION 3. Section 521.457, Transportation Code, is amended
1-36 by amending Subsection (e) and adding Subsection (f-2) to read as
1-37 follows:

1-38 (e) Except as provided by Subsections (f), ~~and~~ (f-1), and
1-39 (f-2), an offense under this section is a Class C misdemeanor.

1-40 (f-2) If it is shown on the trial of an offense under this
1-41 section that the person operated a motor vehicle on a highway during
1-42 a period that the person's driver's license was suspended under
1-43 Section 521.352 or the person was prohibited from obtaining a
1-44 driver's license under that section, the offense is a Class A
1-45 misdemeanor.

1-46 SECTION 4. (a) The change in law made by this Act applies
1-47 only to an offense committed on or after September 1, 2009.

1-48 (b) An offense committed before September 1, 2009, is
1-49 covered by the law in effect when the offense was committed, and the
1-50 former law is continued in effect for that purpose. For purposes of
1-51 this subsection, an offense was committed before September 1, 2009,
1-52 if any element of the offense was committed before that date.

1-53 SECTION 5. This Act takes effect September 1, 2009.

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