

By: Carona

S.B. No. 501

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the civil consequences of certain convictions on a
3 person who holds a commercial driver's license and of certain
4 adjudications on the driver's license or permit of a child.

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

6 SECTION 1. Section 522.081(d), Transportation Code, is
7 amended to read as follows:

8 (d) A person is disqualified from driving a commercial motor
9 vehicle for life:

10 (1) if the person is convicted two or more times of an
11 offense specified by Subsection (b)(2), or a combination of those
12 offenses, arising from two or more separate incidents;

13 (2) if the person uses a motor vehicle in the
14 commission of a felony involving:

15 (A) the manufacture, distribution, or dispensing
16 of a controlled substance; or

17 (B) possession with intent to manufacture,
18 distribute, or dispense a controlled substance; ~~or~~

19 (3) for any combination of two or more of the
20 following, arising from two or more separate incidents:

21 (A) a conviction of the person for an offense
22 described by Subsection (b)(2);

23 (B) a refusal by the person described by
24 Subsection (b)(3); and

1 (C) an analysis of the person's blood, breath, or
2 urine described by Subsection (b)(4); or

3 (4) if the person uses a motor vehicle in the
4 commission of an offense under 8 U.S.C. Section 1324 that involves
5 the transportation, concealment, or harboring of an alien.

6 SECTION 2. Section 54.042(a), Family Code, is amended to
7 read as follows:

8 (a) A juvenile court, in a disposition hearing under Section
9 54.04, shall:

10 (1) order the Department of Public Safety to suspend a
11 child's driver's license or permit, or if the child does not have a
12 license or permit, to deny the issuance of a license or permit to
13 the child if the court finds that the child has engaged in conduct
14 that:

15 (A) violates a law of this state enumerated in
16 Section 521.342(a), Transportation Code; or

17 (B) violates a penal law of this state or the
18 United States, an element or elements of which involve a severe form
19 of trafficking in persons, as defined by 22 U.S.C. Section 7102; or

20 (2) notify the Department of Public Safety of the
21 adjudication, if the court finds that the child has engaged in
22 conduct that violates a law of this state enumerated in Section
23 521.372(a), Transportation Code.

24 SECTION 3. (a) The change in law made by this Act to Section
25 522.081, Transportation Code, applies only in connection with a
26 conviction that becomes final on or after the effective date of this
27 Act. A conviction that became final before the effective date of

1 this Act is covered by Section 522.081, Transportation Code, as
2 that section existed on the date the conviction became final, and
3 the former law is continued in effect for that purpose.

4 (b) The change in law made by this Act in amending Section
5 54.042, Family Code, applies only to conduct that occurs on or after
6 the effective date of this Act. Conduct that occurred before the
7 effective date of this Act is covered by the law in effect at the
8 time the conduct occurred, and the former law is continued in effect
9 for that purpose.

10 SECTION 4. This Act takes effect September 1, 2009.