

By: Ogden

S.B. No. 777

A BILL TO BE ENTITLED

1 AN ACT
2 relating to statistical information on the prosecution of certain
3 offenses relating to the operating of a motor vehicle while
4 intoxicated.

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

6 SECTION 1. Subchapter D, Chapter 411, Government Code, is
7 amended by adding Section 411.049 to read as follows:

8 Sec. 411.049. REPORT RELATED TO CERTAIN INTOXICATION
9 OFFENSES. (a) The department shall compile and maintain
10 statistical information on the prosecution of offenses under
11 Chapter 49, Penal Code, relating to the operating of a motor vehicle
12 while intoxicated, including:

13 (1) the number of arrests;

14 (2) the number of arrests resulting in release with no
15 charges;

16 (3) the number of charges resulting in a plea of not
17 guilty and a trial;

18 (4) the number of charges resulting in a plea of guilty
19 or nolo contendere and, of those pleas, the number entered pursuant
20 to a plea agreement;

21 (5) the number of charges resulting in a conviction of
22 the offense charged in the original information, indictment,
23 complaint, or other charging instrument;

24 (6) the number of charges resulting in a conviction of

1 an offense having a lesser penalty than the offense charged in the
2 original information, indictment, complaint, or other charging
3 instrument; and

4 (7) the number of charges resulting in a dismissal.

5 (b) The department shall submit a report of the statistical
6 information covering the preceding calendar year to the legislature
7 not later than February 15 of each year.

8 (c) Each law enforcement agency that enforces Chapter 49,
9 Penal Code, and each appropriate prosecuting attorney's office and
10 court in this state shall report in the manner and on a form
11 prescribed by the department the information necessary for the
12 department to compile the information required by Subsection (a).

13 (d) The department may adopt rules to implement this
14 section.

15 SECTION 2. The Department of Public Safety of the State of
16 Texas shall submit the first report required by Subsection (b),
17 Section 411.049, Government Code, as added by this Act, not later
18 than February 15, 2011.

19 SECTION 3. This Act takes effect September 1, 2009.