

By: Ogden

S.B. No. 777

A BILL TO BE ENTITLED

AN ACT

relating to statistical information on the prosecution of certain offenses relating to the operating of a motor vehicle while intoxicated.

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

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

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

(1) the number of arrests;

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

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

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

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

(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 March 31 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 shall submit the  
16 first report required by Section 411.049(b), Government Code, as  
17 added by this Act, not later than March 31, 2011.

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