

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) In this section, "offense relating to the operating of a motor vehicle while intoxicated" has the meaning assigned by Section 49.09, Penal Code.

(b) The department shall compile and maintain statistical information on the prosecution of offenses 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;

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

1 (6) the number of charges resulting in a conviction of
2 an offense other than the offense charged in the original
3 information, indictment, complaint, or other charging instrument;
4 and

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

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

11 (d) The department shall identify law enforcement agencies,
12 prosecuting attorney's offices, and courts required to report under
13 Subsection (c) that fail to timely report or that report incomplete
14 information to the department.

15 (e) The department shall submit to the legislature not later
16 than February 15 of each year a report of the statistical
17 information described in Subsection (b) compiled for the preceding
18 calendar year. The report must include a list of the law
19 enforcement agencies, prosecuting attorney's offices, and courts
20 identified by the department under Subsection (d).

21 (f) The department may adopt rules to implement this
22 section.

23 SECTION 2. The Department of Public Safety of the State of
24 Texas shall submit the first report required by Subsection (e),
25 Section 411.049, Government Code, as added by this Act, not later
26 than February 15, 2013.

27 SECTION 3. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 364 passed the Senate on March 31, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 364 passed the House on May 25, 2011, by the following vote: Yeas 148, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor