

By: Ogden

S.B. No. 364

A BILL TO BE ENTITLED

AN ACT

1  
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) In this section, "offense relating to the operating  
10 of a motor vehicle while intoxicated" has the meaning assigned by  
11 Section 49.09, Penal Code.

12 (b) The department shall compile and maintain statistical  
13 information on the prosecution of offenses relating to the  
14 operating of a motor vehicle while intoxicated, including:

15 (1) the number of arrests;

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

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

20 (4) the number of charges resulting in a plea of guilty  
21 or nolo contendere;

22 (5) the number of charges resulting in a conviction of  
23 the offense charged in the original information, indictment,  
24 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 shall submit the  
24 first report required by Section 411.049(e), Government Code, as  
25 added by this Act, not later than February 15, 2013.

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