

By: White

H.B. No. 4227

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a study on the automatic suspension of driver's
3 licenses on conviction of a drug offense not related to the
4 operation of a motor vehicle and alternatives to automatic
5 suspension.

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

7 SECTION 1. (a) The Department of Public Safety shall
8 conduct a study on the automatic suspension of the driver's license
9 of an individual who has been convicted of a drug offense not
10 related to the operation of a motor vehicle. The study shall:

11 (1) examine the feasibility of and benefits and
12 consequences to this state of repealing the law providing for the
13 automatic suspension of the driver's license of an individual who
14 has been convicted of a drug offense not related to the operation of
15 a motor vehicle; and

16 (2) recommend new graduated sanctions related to the
17 suspension of a driver's license on conviction of a drug offense not
18 related to the operation of a motor vehicle that provide for
19 punishment in proportion to the:

20 (A) severity of the offense;

21 (B) potential risk of harm to the public at the
22 time of the offense; and

23 (C) likelihood that the individual would commit
24 another drug offense in the future.

1 (b) In conducting the study under Subsection (a) of this
2 section, the Department of Public Safety shall consult with:

3 (1) the Texas Department of Transportation;

4 (2) a victim who was injured or the family member of a
5 victim who was killed due to a person who was under the influence of
6 drugs;

7 (3) a drug abuse treatment specialist;

8 (4) a criminal district attorney;

9 (5) a criminal district judge;

10 (6) a law enforcement officer;

11 (7) a department director of a community supervision
12 and corrections department; and

13 (8) a criminal defense attorney.

14 (c) Not later than December 1, 2018, the Department of
15 Public Safety shall submit a report containing the results of the
16 study conducted under Subsection (a) of this section, including any
17 legislative recommendations, to the governor, the lieutenant
18 governor, the speaker of the house of representatives, and the
19 appropriate standing committees of the senate and the house of
20 representatives.

21 SECTION 2. This Act expires December 1, 2019.

22 SECTION 3. This Act takes effect September 1, 2017.