

BILL ANALYSIS

Senate Research Center
86R1679 GCB-F

H.B. 156
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Criminal Justice
5/6/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When an individual's driver's license is suspended or revoked (such as for driving while intoxicated), he or she is able to petition in civil court for an occupational license based upon an assertion of essential need (e.g., to commute to work).

Under current law, courts are authorized to require the person with the occupational license to be supervised. The court must select the local community supervision and corrections department to provide supervision of the individual even though the county personal bond office is already doing so.

H.B. 156 would allow the court to select either the local community supervision and corrections department or a personal bond office to provide supervision, if the court requires the person receiving the license to submit to supervision.

H.B. 156 amends current law relating to the supervision by a personal bond office of individuals granted an occupational driver's license, and provides for an administrative fee.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 521.2462, Transportation Code, by amending Subsection (a) and adding Subsections (a-1), (a-2), and (a-3), as follows:

(a) Deletes existing Subdivision (1). Authorizes the court granting an occupational license under this subchapter to order the person receiving the license to submit to supervision for the purpose of verifying the person's compliance with the conditions specified by the order granting the license, rather than submit to supervision by the local community supervision and corrections department to verify compliance with the conditions specified by the order granting the license, including the conditions specified in accordance with Section 521.248 (Order Requirements).

(a-1) Authorizes the court to order the supervision of the person to be conducted by:

(1) the local community supervision and corrections department; or

(2) a personal bond office (office) established under Article 17.42 (Personal Bond Office), Code of Criminal Procedure.

(a-2) Redesignates existing Subdivision (2) as Subsection (a-2) and makes a nonsubstantive change. Requires the court, if the court orders the person's supervision to be conducted by the local community supervision and corrections department, to order the person to pay a monthly administrative fee under Section 76.015 (Administrative Fee), Government Code.

(a-3) Authorizes the office, if the court orders the person's supervision to be conducted by a personal bond office, to collect from the person a reasonable administrative fee of not less than \$25 and not more than \$60 per month.

SECTION 2. Amends Section 521.251(d-1), Transportation Code, to prohibit a person granted an occupational license under this subsection from being ordered, under Section 521.2462 (Supervision of Person Issued Occupational Driver's License), to submit to the supervision of the local community supervision and corrections department or a personal bond office established under Article 17.42, Code of Criminal Procedure, unless the order is entered by a court of record, rather than to submit to the supervision of the local community supervision and corrections department under Section 521.2462, unless the order is entered by a court of record.

SECTION 3. Amends Section 76.015, Government Code, by adding Subsection (a-1) to provide that this section (Administrative Fee) does not apply to an individual ordered to pay an administrative fee to a personal bond office under Section 521.2462(a-3), Transportation Code.

SECTION 4. Provides that the change in law made by this Act to Section 521.2462, Transportation Code, applies to an order issued under that section on or after the effective date of this Act, regardless of whether the underlying offense giving rise to the order was committed before, on, or after the effective date of this Act.

SECTION 5. Effective date: September 1, 2019.