

## **BILL ANALYSIS**

H.B. 3647  
By: Guillen  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

State law requires courts to report convictions within seven days, and the Department of Public Safety (DPS) is authorized to consider a conviction record in a decision to impose an enforcement action against a driver. However, officials report that many times convictions are reported more than 12 months past the actual conviction date. This delays the beginning and ending dates of the period of driver's license suspension. H.B. 3647 seeks to remove the authority of DPS to consider convictions reported by courts that are 12 or more months after the conviction date, with certain exceptions.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3647 amends the Transportation Code to limit the period within which the Department of Public Safety (DPS) may consider a conviction record in a decision to impose an enforcement action on the holder of a license to operate a motor vehicle that is issued under or granted by state law to the first year following the date of conviction. However, the bill authorizes DPS to consider a record of a conviction of a license holder that is received by DPS after the first anniversary of the conviction date if the conviction is for an intoxication and alcoholic beverage offense or the license holder, at the time of the offense, is or was a commercial driver's license holder, was operating a commercial motor vehicle, or was operating a motor vehicle and transporting a hazardous material.

### **EFFECTIVE DATE**

September 1, 2023.