

BILL ANALYSIS

Senate Research Center
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S.B. 185
By: Barrientos
Criminal Justice
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As Filed

DIGEST

Currently, Texas law authorizes a municipal judge or justice of the peace to place conditions on a defendant convicted of a misdemeanor, but placed on deferred adjudication. However, there is no clear authority to require drug testing or treatment or psychological testing. S.B. 185 would establish certain permissible conditions of placement on deferred disposition for offenses involving the use of alcohol, a controlled substance, or drugs.

PURPOSE

As proposed, S.B. 185 establishes certain permissible conditions of placement on deferred disposition for offenses involving the use of alcohol, a controlled substance, or drugs.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 45.54(3), Code of Criminal Procedure, to authorize a justice to require a defendant, during a deferral period, to submit to diagnostic testing for alcohol, controlled substance, or drug use; submit to a psychosocial assessment; participate in a treatment or education program; and pay for the cost of the testing and treatment. Makes a standard recodification change. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.