

## **BILL ANALYSIS**

Senate Research Center  
77R4610 JAT-D

H.B. 1075  
By: Haggerty (Staples)  
Criminal Justice  
5/8/2001  
Engrossed

### **DIGEST AND PURPOSE**

Currently, the Government Code requires each community supervision and corrections department (CSCD) to submit periodic data on the use of ignition interlock devices to the community justice assistance division (CJAD) of the Texas Department of Criminal Justice, and requires CSCDs to submit specific data on each person restricted to the operation of a motor vehicle by an ignition interlock device to the Department of Public Safety (DPS). The Transportation Code designates DPS as the agency responsible for adopting rules for the approval of ignition interlock devices as well as establishing standards for vendors of the devices doing business in Texas and procedures to ensure compliance with these standards. CJAD has no legislative charge and has no reason to receive information on ignition interlock devices from CSCDs. H.B. 1075 eliminates the requirement that CSCDs report to CJAD on the use and reliability of ignition interlock devices.

### **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 509.004(a), Government Code, to delete text that requires the community justice assistance division to require each community supervision and corrections department to submit periodic data to the division on the required use of deep lung breath analysis mechanisms to make impractical the operation of a motor vehicle if ethyl alcohol is detected in the breath of the operator, including the number of devices in use, the number of violations detected, malfunctions by the devices, and attempts to circumvent the devices.

SECTION 2. Effective date: upon passage or September 1, 2001.