

BILL ANALYSIS

Senate Research Center
77R5730 DWS-D

S.B. 1371
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Criminal Justice
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As Filed

DIGEST AND PURPOSE

In 1997, the legislature created the Failure to Appear program in which municipal courts are allowed to report persons who fail to appear in court to the Texas Department of Public Safety (department). The department, in turn, is allowed to turn those reports over to a third party vendor or contractor. A person so reported is denied renewal of the person's driver's license until the political subdivision notifies the department that there is no cause to continue to deny the renewal. As proposed, S.B. 1371 amends provisions of the Transportation Code to require an individual to pay traffic violation citations in full, rather than to appear, to avoid being reported by political subdivisions to the department, and thus avoid the denial of the renewal of the person's driver's license.

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 706.002(a), Transportation Code, to delete existing text pertaining to appearance for a complaint, citation, or court order. Authorizes a political subdivision to contract with the Department of Public Safety (department) to provide information necessary for the department to deny renewal of the driver's license of a person who fails to pay as provided by law a fine involving certain offenses.

SECTION 2. Amends Section 706.003(b), Transportation Code, to require that the warning under Subsection (a) must state in substance that the person may be denied renewal of the person's driver's license if the person does not pay the fine for the offense as provided by law, unless the charge is dismissed or the person is acquitted of the charge. Deletes existing text pertaining to a person's failure to appear in court.

SECTION 3. Amends Section 706.004, Transportation Code, to make conforming changes.

SECTION 4. Amends Section 706.005, Transportation Code, to require a political subdivision to notify the department that there is no cause to continue to deny renewal of a person's driver's license based on the person's previous failure to pay a fine, rather than appear, for a traffic violation or an offense described by certain sections on payment of a fee as provided by Section 706.006 and under certain specific conditions.

SECTION 5. Amends Section 706.006(a), Transportation Code, to make conforming changes.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: September 1, 2001.