

BILL ANALYSIS

Senate Research Center
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S.B. 1531
By: Cain
Criminal Justice
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As Filed

DIGEST AND PURPOSE

Currently, an ignition interlock device must remain installed for at least half of the supervision period for a person convicted of certain driving intoxication offenses. As proposed, S.B. 1531 requires the device to remain on the vehicle for the entire supervision period and prohibits a defendant from attempting to remove the court ordered device without court permission.

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 13(i), Article 42.12, Code of Criminal Procedure, to require a court to require a defendant to provide evidence to the court within the 30-day period that an ignition interlock device has been installed on the appropriate vehicle and order the device to remain installed on that vehicle until the expiration of the supervision period and to not be removed from the vehicle without a written order issued by the court. Prohibits a person from removing a device installed in a defendant's vehicle under this subsection unless the person holds a written order authorizing the removal issued by the court that ordered the device to be installed. Deletes language regarding a period of not less than 50 percent of the supervision period.

SECTION 2. (a) Effective date: September 1, 2001.

(b) and (c) Makes application of this Act prospective.