

## **BILL ANALYSIS**

Senate Research Center  
88R14402 AJZ-D

H.B. 3647  
By: Guillen (LaMantia)  
State Affairs  
5/5/2023  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

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.

H.B. 3647 amends current law relating to the imposition by the Department of Public Safety of administrative and civil consequences for certain criminal convictions.

### **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 521.042, Transportation Code, by adding Subsections (f) and (g), as follows:

(f) Prohibits the Department of Public Safety of the State of Texas (DPS), except as provided by Subsection (g), from considering a record of a conviction of a license holder that is received by DPS after the first anniversary of the date of the conviction in a decision to impose an enforcement action against the license holder, including a decision to suspend, revoke, or deny renewal of the license holder's driver's license.

(g) Authorizes DPS to consider a record of a conviction of a license holder that is received by DPS after the first anniversary of the date of the conviction in a decision to impose an enforcement action against the license holder if:

(1) the license holder:

(A) is a commercial driver's license holder or was a commercial driver's license holder at the time of the offense;

(B) was operating a commercial motor vehicle at the time of the offense;  
or

(C) was operating a motor vehicle and transporting a hazardous material at the time of the offense; or

(2) the conviction is for an offense under Chapter 49 (Intoxication and Alcoholic Beverages Offenses), Penal Code.

SECTION 2. Effective date: September 1, 2023.