

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 205
By: Carona
Criminal Justice
3/19/1999
Committee Report (Substituted)

DIGEST

Currently, there is only an installation charge for a defendant who uses a motor vehicle ignition device. An interlock device verifies that a driver is not intoxicated prior to permitting its vehicle to start. A magistrate may designate the device for use after the defendant commits a second offense of driving while intoxicated, but has not been tried for the first charge. C.S.S.B. 205 requires the defendant to pay a fee set by the magistrate each time the agency verifies the installation and services the device.

PURPOSE

As proposed, C.S.S.B. 205 requires a defendant to pay for a motor vehicle ignition interlock device.

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 17.441(d), Code of Criminal Procedure, to require a defendant to pay a fee to the designated agency in an amount set by the magistrate, if the magistrate designates an agency to verify an installation of a device. Requires the defendant to pay initial fee at the time the agency verifies the installation. Requires the defendant to pay each month that the magistrate provides for a monitoring service. Requires the magistrate to set the fee in an amount not to exceed \$10, as determined by the county auditor to cover the costs of verification.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Article 17.441(d), Code of Criminal Procedure, to require the defendant to pay a fee to the designated agency in an amount set by the magistrate, rather than pay \$10. Requires the defendant to pay the fee at a certain time and for each month there is a monitoring service. Requires the magistrate to set the fee not to exceed \$10.