

BILL ANALYSIS

Senate Research Center
77R6100 JD-D

S.B. 1322
By: West, Royce
Criminal Justice
3/30/2001
As Filed

DIGEST AND PURPOSE

Current law allows for the mandatory installation of an ignition interlock device on second and subsequent drinking while intoxicated (DWI) offenders. As proposed, S.B. 1322 requires a convicted person to have installed an ignition interlock device on the person's vehicle as a condition of community supervision if convicted of an offense.

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 authorize the court to install a device on the motor vehicle of a defendant placed on community supervision for certain intoxication offenses by installing an ignition interlock device to make the vehicle inoperable if ethyl alcohol is detected in the breath of the operator. Requires the court to offer the installation of an ignition interlock device as a condition of community supervision for a defendant convicted on a second or subsequent driving while intoxicated charge whose blood or breath showed an alcohol concentration of 0.15 or more. Requires the court to verify whether an analysis of the defendant's blood or breath showed an alcohol concentration of 0.15 or more. Makes conforming changes.

SECTION 2. Effective date: September 1, 2001.
Makes application of this Act prospective.