

1-1 By: Huffman S.B. No. 1495  
1-2 (In the Senate - Filed March 11, 2021; March 24, 2021, read  
1-3 first time and referred to Committee on Criminal Justice;  
1-4 April 21, 2021, reported favorably by the following vote: Yeas 7,  
1-5 Nays 0; April 21, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Huffman	X		
1-10	Bettencourt	X		
1-11	Birdwell	X		
1-12	Hinojosa	X		
1-13	Miles	X		
1-14	Nichols	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to certain criminal offenses related to highways and motor  
1-18 vehicles; creating a criminal offense; increasing a criminal  
1-19 penalty.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 42.03, Penal Code, is amended by  
1-22 amending Subsection (c) and adding Subsection (d) to read as  
1-23 follows:

1-24 (c) An offense under this section is a Class B misdemeanor,  
1-25 except that the offense is a state jail felony if it is shown on the  
1-26 trial of the offense that the offense was committed in furtherance  
1-27 of:

1-28 (1) an offense under Section 545.420, Transportation  
1-29 Code; or

1-30 (2) a reckless driving exhibition.

1-31 (d) For purposes of this section, "reckless driving  
1-32 exhibition" means an operator of a motor vehicle intentionally:

1-33 (1) breaking the traction of the vehicle's rear tires;

1-34 (2) spinning the vehicle's rear tires continuously by  
1-35 pressing the accelerator and increasing the engine speed; and

1-36 (3) steering the vehicle in a manner designed to  
1-37 rotate the vehicle.

1-38 SECTION 2. Section 545.401(b), Transportation Code, is  
1-39 amended to read as follows:

1-40 (b) An offense under this section is a misdemeanor  
1-41 punishable by:

1-42 (1) a fine of not less than \$1,000 or more than \$4,000  
1-43 [not to exceed \$200];

1-44 (2) confinement in [county] jail for a term not to  
1-45 exceed one year [not more than 30 days]; or

1-46 (3) both the fine and the confinement.

1-47 SECTION 3. Subchapter I, Chapter 545, Transportation Code,  
1-48 is amended by adding Section 545.4205 to read as follows:

1-49 Sec. 545.4205. SPECTATOR OF RECKLESS DRIVING EXHIBITION OR  
1-50 RACING ON A HIGHWAY PROHIBITED; CRIMINAL OFFENSE. (a) A person  
1-51 commits an offense if the person knowingly attends as a spectator:

1-52 (1) an exhibition of conduct prohibited under Section  
1-53 545.420 or a reckless driving exhibition, as defined by Section  
1-54 42.03, Penal Code; or

1-55 (2) preparations for an event described by Subdivision  
1-56 (1).

1-57 (b) For the purposes of Subsection (a), a person is present  
1-58 at an exhibition if the person is in proximity to the exhibition or  
1-59 preparations for an exhibition.

1-60 (c) An offense under this section is a Class C misdemeanor  
1-61 punishable by a fine not to exceed \$500.

2-1 SECTION 4. The changes in law made by this Act apply only to  
2-2 an offense committed on or after the effective date of this Act. An  
2-3 offense committed before the effective date of this Act is governed  
2-4 by the law in effect when the offense was committed, and the former  
2-5 law is continued in effect for that purpose. For purposes of this  
2-6 section, an offense was committed before the effective date of this  
2-7 Act if any element of the offense occurred before that date.  
2-8 SECTION 5. This Act takes effect September 1, 2021.

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