

By: Smith of Tarrant

H.B. No. 744

A BILL TO BE ENTITLED

AN ACT

relating to the punishment prescribed for certain repeat  
intoxication offenders.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 49.09(d), Penal Code, is amended to read  
as follows:

(d) For the purposes of this section, a conviction for an  
offense under Article 67011-1, Revised Statutes, as that law  
existed before September 1, 1994, Article 67011-2, Revised  
Statutes, as that law existed before January 1, 1984, Section  
19.05(a)(2), as that law existed before September 1, 1994, or  
Section 49.04, 49.05, 49.06, 49.065, 49.07, or 49.08 [~~that occurs  
on or after September 1, 1994,~~] is a final conviction, whether the  
sentence for the conviction is imposed or probated.

SECTION 2. Sections 49.09(e) and (f), Penal Code, are  
repealed.

SECTION 3. (a) This Act takes effect September 1, 2003.

(b) The change in law made by this Act applies only to the  
penalty for an offense under Chapter 49, Penal Code, that is  
committed on or after September 1, 2003. The penalty for an offense  
under Chapter 49, Penal Code, that was committed before September  
1, 2003, is covered by the law in effect when the offense was  
committed, and the former law is continued in effect for that  
purpose. For purposes of this subsection, an offense was committed

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1 before September 1, 2003, if any element of the offense was  
2 committed before that date.