

By: Dunnam

H.B. No. 788

A BILL TO BE ENTITLED

AN ACT

relating to the penalty for operation of a motor vehicle by a person who does not hold a driver's license.

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

SECTION 1. Section 521.021, Transportation Code, is amended to read as follows:

Sec. 521.021. LICENSE REQUIRED. (a) A person, other than a person expressly exempted under this chapter, may not operate a motor vehicle on a highway in this state unless the person holds a driver's license issued under this chapter.

(b) If it is shown on the trial of an offense under this section that, within the year preceding the date of the offense for which the defendant is being tried, the defendant was convicted of an offense for which the defendant's driver's license could have been suspended, instead of the penalty provided by Section 521.461 the offense is a misdemeanor punishable by:

(1) a fine of not less than \$100 or more than \$500;

(2) confinement in county jail for a term of not less than 72 hours or more than six months; or

(3) both the fine and the confinement.

SECTION 2. (a) This Act takes effect September 1, 2003, and applies only to the punishment for an offense occurring on or after that date. For the purposes of this section, an offense is committed before the effective date of this Act if any element of

1 the offense occurs before that date.

2 (b) Punishment for an offense committed before the
3 effective date of this Act is governed by the law in effect when the
4 offense was committed, and the former law is continued in effect for
5 that purpose.