

By: Canales

H.B. No. 2513

A BILL TO BE ENTITLED

AN ACT

relating to increasing the penalty for the offense of leaving the scene of an accident.

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

SECTION 1. Section 550.021, Transportation Code, is amended by amending Subsection (c) and adding Subsections (d) and (e) to read as follows:

(c) A person commits an offense if the person does not stop or does not comply with the requirements of this section. Except as provided by Subsection (d), an [An] offense under this section is punishable by:

(1) imprisonment in the institutional division of the Texas Department of Criminal Justice for not more than five years or confinement in the county jail for not more than one year;

(2) a fine not to exceed \$5,000; or

(3) both the fine and the imprisonment or confinement.

(d) An offense under this section involving an accident resulting in serious bodily injury or death is a felony of the first degree.

(e) In this section, "serious bodily injury" has the meaning assigned by Section 1.07, Penal Code.

SECTION 2. Section 550.022(c), Transportation Code, is amended to read as follows:

(c) A person commits an offense if the person does not stop

1 or does not comply with the requirements of this section. An
2 offense under this section is:

3 (1) a Class C misdemeanor, if the damage to all
4 vehicles is less than \$200; [~~or~~]

5 (2) a Class B misdemeanor, if the damage to all
6 vehicles is \$200 or more but less than \$500; or

7 (3) a felony of the third degree if the damage to all
8 vehicles is \$500 or more.

9 SECTION 3. Section 8.07(a), Penal Code, is amended to read
10 as follows:

11 (a) A person may not be prosecuted for or convicted of any
12 offense that the person committed when younger than 15 years of age
13 except:

14 (1) perjury and aggravated perjury when it appears by
15 proof that the person had sufficient discretion to understand the
16 nature and obligation of an oath;

17 (2) a violation of a penal statute cognizable under
18 Chapter 729, Transportation Code, except for:

19 (A) an offense under Section 550.021,
20 Transportation Code;

21 (B) an offense punishable as a Class B
22 misdemeanor or a felony of the third degree under Section 550.022,
23 Transportation Code; or

24 (C) an offense punishable as a Class B
25 misdemeanor under Section 550.024, Transportation Code;

26 (3) a violation of a motor vehicle traffic ordinance
27 of an incorporated city or town in this state;

1 (4) a misdemeanor punishable by fine only other than
2 public intoxication;

3 (5) a violation of a penal ordinance of a political
4 subdivision;

5 (6) a violation of a penal statute that is, or is a
6 lesser included offense of, a capital felony, an aggravated
7 controlled substance felony, or a felony of the first degree for
8 which the person is transferred to the court under Section 54.02,
9 Family Code, for prosecution if the person committed the offense
10 when 14 years of age or older; or

11 (7) a capital felony or an offense under Section 19.02
12 for which the person is transferred to the court under Section
13 54.02(j)(2)(A), Family Code.

14 SECTION 4. Subdivision (16), Section 51.02, Family Code, is
15 amended to read as follows:

16 (16) "Traffic offense" means:

17 (A) a violation of a penal statute cognizable
18 under Chapter 729, Transportation Code, except for:

19 (i) conduct constituting an offense under
20 Section 550.021, Transportation Code;

21 (ii) conduct constituting an offense
22 punishable as a Class B misdemeanor or felony of the third degree
23 under Section 550.022, Transportation Code; or

24 (iii) conduct constituting an offense
25 punishable as a Class B misdemeanor under Section 550.024,
26 Transportation Code; or

27 (B) a violation of a motor vehicle traffic

1 ordinance of an incorporated city or town in this state.

2 SECTION 5. (a) The change in law made by this Act applies
3 only to an offense committed on or after the effective date of this
4 Act. For purposes of this section, an offense is committed before
5 the effective date of this Act if any element of the offense occurs
6 before that date.

7 (b) An offense committed before the effective date of this
8 Act is covered by the law in effect when the offense was committed,
9 and the former law is continued in effect for that purpose.

10 SECTION 6. This Act takes effect September 1, 2003.