

By: Zaffirini

S.B. No. 45

A BILL TO BE ENTITLED

AN ACT

relating to the operation of a motor vehicle while intoxicated with a child passenger in the vehicle; providing a penalty.

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

SECTION 1. Chapter 49, Penal Code, is amended by adding Section 49.045 to read as follows:

Sec. 49.045. DRIVING WHILE INTOXICATED WITH CHILD PASSENGER. (a) A person commits an offense if:

(1) the person is intoxicated while operating a motor vehicle in a public place; and

(2) the vehicle being operated by the person is occupied by a passenger who is younger than 16 years of age.

(b) An offense under this section is a state jail felony.

SECTION 2. (a) This Act takes effect September 1, 2003.

(b) The change in law made by this Act applies only to an offense committed on or after September 1, 2003.

(c) An offense 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 section, an offense was committed before September 1, 2003, if any element of the offense was committed before that date.