

By: Coleman

H.B. No. 1255

Substitute the following for H.B. No. 1255:

By: Phillips

C.S.H.B. No. 1255

A BILL TO BE ENTITLED

AN ACT

relating to an increased penalty for certain privileged parking offenses.

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

SECTION 1. Section 521.341, Transportation Code, is amended to read as follows:

Sec. 521.341. REQUIREMENTS FOR AUTOMATIC LICENSE SUSPENSION. Except as provided by Sections 521.344(d)-(i), a license is automatically suspended on final conviction of the license holder of:

(1) an offense under Section 19.05, Penal Code, committed as a result of the holder's criminally negligent operation of a motor vehicle;

(2) an offense under Section 38.04, Penal Code;

(3) an offense under Section 49.04 or 49.08, Penal Code;

(4) an offense under Section 49.07, Penal Code, if the person used a motor vehicle in the commission of the offense;

(5) an offense punishable as a felony under the motor vehicle laws of this state;

(6) an offense under Section 550.021; ~~or~~

(7) an offense under Section 521.451 or 521.453; or

(8) an offense under Section 681.011(d) or 681.0111(b).

1 SECTION 2. Sections 681.011(d) and (g), Transportation
2 Code, are amended to read as follows:

3 (d) A person commits an offense if the person uses [~~lends~~] a
4 disabled parking placard issued to another [~~the~~] person [~~to a~~
5 ~~person who uses the placard~~] in violation of this section.
6 Notwithstanding Subsections (g)-(k), if a person is convicted of a
7 second or subsequent offense under this subsection the offense is a
8 Class B misdemeanor.

9 (g) Except as provided by Subsections (d) and (h)-(k), an
10 offense under this section is a misdemeanor punishable by a fine of
11 not less than \$250 or more than \$500.

12 SECTION 3. Section 681.0111(c), Transportation Code, is
13 amended to read as follows:

14 (c) An offense under Subsection (a) is a Class A
15 misdemeanor. If a person is convicted of a second or subsequent
16 [An] offense under Subsection (b), the offense is a Class B B [~~C~~]
17 misdemeanor.

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

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

26 SECTION 5. This Act takes effect September 1, 2005.