

## **BILL ANALYSIS**

H.B. 1800  
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Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Nearly half of the driving fatalities in Texas occur in alcohol-related accidents. Tragically, Texas is one of the worst states in alcohol-related vehicular deaths with 1,569 solely in 2005.

Texas has tough measures for repeat offenders with provisions to deal with driver's whose first offense was in another state. However, Texas currently does not take into account violations of federal law or the Uniform Code of Military Justice. H.B. 1800 would correct this omission.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1800 changes Sections 49.09(b) and (c) of the Penal Code to provide that an offense of driving a vehicle while intoxicated, operating an aircraft while intoxicated, operating a watercraft while intoxicated or operating or assembling an amusement ride while intoxicated is a felony of the third degree if it is shown on the trial of the offense that the person has been previously convicted one time of an offense under federal law or the Uniform Code of Military Justice, if the offense contains elements that are substantially similar to the elements of the an offense of intoxication manslaughter under the Texas Penal Code. Makes conforming changes to the definition of the above mentioned offenses to include the application of federal law and the Uniform Code of Military Justice.

The changes in law made by this Act apply only to the punishment for an offense under Section 49.04, 49.05, 49.06, or 49.065, Penal Code, committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date. The punishment for an offense under Section 49.04, 49.05, 49.06, or 49.065, Penal Code, committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

### **EFFECTIVE DATE**

September 1, 2007.