

By: Pierson

H.B. No. 1880

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to an enhanced penalty for an operator who commits certain  
3 traffic offenses while using a wireless communication device to  
4 read, write, or send a text-based communication.

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

6 SECTION 1. Subchapter D, Chapter 542, Transportation Code,  
7 is amended by adding Section 542.407 to read as follows:

8 Sec. 542.407. PENALTY FOR OFFENSE COMMITTED WHILE USING  
9 WIRELESS COMMUNICATION DEVICE. An offense under this subtitle is  
10 punishable by a fine that is at least twice the minimum fine  
11 applicable to the offense and not more than twice the maximum fine  
12 that is applicable to the offense if the person who commits the  
13 offense is at the time of the offense operating a motor vehicle  
14 while using a wireless communication device to read, write, or send  
15 a text-based communication.

16 SECTION 2. The change in law made by this Act applies only  
17 to an offense committed on or after the effective date of this Act.  
18 An offense committed before the effective date of this Act is  
19 covered by the law in effect when the offense was committed, and the  
20 former law is continued in effect for that purpose. For purposes of  
21 this section, an offense was committed before the effective date of  
22 this Act if any element of the offense occurred before that date.

23 SECTION 3. This Act takes effect September 1, 2009.