

AN ACT

relating to the criminal consequences of operating without a valid driver's license a motor vehicle for which financial responsibility is not established.

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

SECTION 1. This Act shall be known as Eric's Law.

SECTION 2. Section 521.457, Transportation Code, is amended by amending Subsections (e) and (f) and adding Subsection (f-2) to read as follows:

(e) Except as provided by Subsections (f), ~~and~~ (f-1), and (f-2), an offense under this section is a Class C misdemeanor.

(f) An offense under this section is a Class B misdemeanor if ~~if~~ it is shown on the trial of the ~~an~~ offense ~~[under this section]~~ that the person:

(1) has previously been convicted of an offense under this section or an offense under Section 601.371(a), as that law existed before September 1, 2003; or

(2) at the time of the offense, was operating the motor vehicle in violation of Section 601.191 ~~[, the offense is a Class B misdemeanor]~~.

(f-2) An offense under this section is a Class A misdemeanor if it is shown on the trial of the offense that at the time of the offense the person was operating the motor vehicle in violation of Section 601.191 and caused or was at fault in a motor vehicle

1 accident that resulted in serious bodily injury to or the death of
2 another person.

3 SECTION 3. The change in law made by this Act applies only
4 to an offense committed on or after the effective date of this Act.
5 An offense committed before the effective date of this Act is
6 governed by the law in effect when the offense was committed, and
7 the former law is continued in effect for that purpose. For the
8 purposes of this section, an offense was committed before the
9 effective date of this Act if any element of the offense was
10 committed before that date.

11 SECTION 4. This Act takes effect September 1, 2009.

H.B. No. 2012

President of the Senate

Speaker of the House

I certify that H.B. No. 2012 was passed by the House on May 15, 2009, by the following vote: Yeas 133, Nays 1, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2012 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2012 on May 31, 2009, by the following vote: Yeas 135, Nays 2, 2 present, not voting.

Chief Clerk of the House

H.B. No. 2012

I certify that H.B. No. 2012 was passed by the Senate, with amendments, on May 27, 2009, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2012 on May 31, 2009, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor