

By: Vaught

H.B. No. 2012

A BILL TO BE ENTITLED

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

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

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

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

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

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

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

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

21 (f-2) An offense under this section is a felony of the third
22 degree if it is shown on the trial of the offense that at the time of
23 the offense the person was operating the motor vehicle in violation
24 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.