

1-1 By: Vaught, et al. (Senate Sponsor - Carona) H.B. No. 2012
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 19, 2009, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 23, 2009, reported
1-5 favorably, as amended, by the following vote: Yeas 7, Nays 2;
1-6 May 23, 2009, sent to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Shapleigh

1-8 Amend the proposed House Bill No. 2012 in SECTION 3 of the
1-9 bill, by striking amended Section (c), (page 2, lines 1 through 3).

1-10 COMMITTEE AMENDMENT NO. 2 By: Carona

1-11 Amend the proposed House Bill No. 2012 in SECTION 2, of the
1-12 bill, by striking the words "felony of the third degree" (page 1,
1-13 lines 36 and 37) and replacing those words with the words "Class A
1-14 misdemeanor".

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the criminal consequences of operating without a valid
1-18 driver's license a motor vehicle for which financial responsibility
1-19 is not established.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. This Act shall be known as Eric's Law.

1-22 SECTION 2. Section 521.457, Transportation Code, is amended
1-23 by amending Subsections (e) and (f) and adding Subsection (f-2) to
1-24 read as follows:

1-25 (e) Except as provided by Subsections (f), ~~and~~ (f-1), and
1-26 (f-2), an offense under this section is a Class C misdemeanor.

1-27 (f) An offense under this section is a Class B misdemeanor
1-28 if [If] it is shown on the trial of the [an] offense [under this
1-29 section] that the person:

1-30 (1) has previously been convicted of an offense under
1-31 this section or an offense under Section 601.371(a), as that law
1-32 existed before September 1, 2003; or

1-33 (2) at the time of the offense, was operating the motor
1-34 vehicle in violation of Section 601.191 [, the offense is a Class B
1-35 misdemeanor] .

1-36 (f-2) An offense under this section is a felony of the third
1-37 degree if it is shown on the trial of the offense that at the time of
1-38 the offense the person was operating the motor vehicle in violation
1-39 of Section 601.191 and caused or was at fault in a motor vehicle
1-40 accident that resulted in serious bodily injury to or the death of
1-41 another person.

1-42 SECTION 3. (a) The Legislative Budget Board shall prepare
1-43 an annual criminal justice policy impact statement for this Act.

1-44 (b) The impact statement must include information
1-45 concerning:

1-46 (1) the number of arrests and resulting criminal
1-47 dispositions under this Act;

1-48 (2) the fiscal impact of arrests, trials, convictions,
1-49 and imprisoning or imposing other sanctions on persons in
1-50 accordance with this Act;

1-51 (3) the race and ethnicity of persons arrested,
1-52 prosecuted, convicted, and incarcerated under this Act;

1-53 (4) the impact of this Act on existing correctional
1-54 facilities, as defined by Section 1.07, Penal Code;

1-55 (5) the likelihood that this Act may create a need for
1-56 additional prison capacity;

1-57 (6) civil action damages assessed and collected, and
1-58 assets seized and forfeited under this Act; and

1-59 (7) any other matter the Legislative Budget Board
1-60 determines relevant.

2-1 (c) The Legislative Budget Board shall complete the impact
2-2 statement not later than December 1 each year, beginning December
2-3 1, 2010, and make it available to the public on its website.

2-4 SECTION 4. The change in law made by this Act applies only
2-5 to an offense committed on or after the effective date of this Act.
2-6 An offense committed before the effective date of this Act is
2-7 governed by the law in effect when the offense was committed, and
2-8 the former law is continued in effect for that purpose. For the
2-9 purposes of this section, an offense was committed before the
2-10 effective date of this Act if any element of the offense was
2-11 committed before that date.

2-12 SECTION 5. This Act takes effect September 1, 2009.

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