

By: Wentworth

S.B. No. 1389

A BILL TO BE ENTITLED

AN ACT

relating to the penalty for the offense of reckless driving.

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

SECTION 1. Section 545.401, Transportation Code, is amended by amending Subsection (b) and adding Subsections (e), (f), (g), and (h) to read as follows:

(b) Except as provided by Subsection (e), an ~~[An]~~ offense under this section is a misdemeanor punishable by:

(1) a fine not to exceed \$200;

(2) confinement in county jail for not more than 30 days; or

(3) both the fine and the confinement.

(e) If an offense under this section results in the serious bodily injury or death of an operator or passenger of another motor vehicle, the offense is a Class B misdemeanor.

(f) The court may:

(1) order that the driver's license of a person convicted of an offense under Subsection (e) be suspended for not less than 30 days beginning on the date of conviction; and

(2) require the person to attend and present proof that the person successfully completed a driving safety course approved under Chapter 1001, Education Code, before the person's driver's license may be reinstated.

(g) A judge, acting under Article 42.12, Code of Criminal

1 Procedure, who elects to place a defendant on community supervision
2 under that article may require the defendant to attend and present
3 proof that the defendant successfully completed a driving safety
4 course approved under Chapter 1001, Education Code.

5 (h) A person who is subject to prosecution under both this
6 section and another section of this or any other code may be
7 prosecuted under either or both sections.

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

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