

By: Wentworth

S.B. No. 1389

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the penalty for the offense of reckless driving.

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

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

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

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

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

12 (3) both the fine and the confinement.

13 (e) If an offense under this section results in the serious
14 bodily injury or death of an operator or passenger of another motor
15 vehicle, the offense is punishable by:

16 (1) a fine not to exceed \$700;

17 (2) confinement in county jail for not more than 60
18 days; or

19 (3) both the fine and the confinement.

20 (f) The court may order that the driver's license of a
21 person convicted of an offense under Subsection (e) be suspended
22 for not less than 30 days beginning on the date of conviction.

23 (g) A judge, acting under Article 42.12, Code of Criminal
24 Procedure, who elects to place a defendant accused of a violation of

1 this section on community supervision under that article may
2 require the defendant to attend and present proof that the
3 defendant successfully completed an educational course related to
4 the attitudinal dynamics of driving.

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

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