

By: King of Parker

H.B. No. 765

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the disposition of certain misdemeanor offenses
3 committed by a holder of a commercial driver's license.

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

5 SECTION 1. Article 45.051(f), Code of Criminal Procedure,
6 is amended to read as follows:

7 (f) This article does not apply to:

8 (1) an offense to which Section 542.404,
9 Transportation Code, applies; or

10 (2) a violation of a state law or local ordinance
11 relating to motor vehicle control, other than a parking violation,
12 committed by a person who, while operating a commercial motor
13 vehicle, as defined by Section 522.003, Transportation Code, [+]

14 [~~(A) holds a commercial driver's license, or~~

15 [~~(B)] held a commercial driver's license [when~~
16 ~~the offense was committed].~~

17 SECTION 2. Article 45.0511(s), Code of Criminal Procedure,
18 is amended to read as follows:

19 (s) This article does not apply to an offense committed by a
20 person who, while operating a commercial motor vehicle, as defined
21 by Section 522.003, Transportation Code, [+]

22 [~~(1) holds a commercial driver's license, or~~

23 [~~(2)] held a commercial driver's license [when the~~
24 ~~offense was committed].~~

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

9 SECTION 4. This Act takes effect September 1, 2013.