

By: Smithee

H.B. No. 2790

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the offense of failing to secure a child in a child
3 passenger safety seat system.

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

5 SECTION 1. Section 545.412(b), Transportation Code, is
6 amended to read as follows:

7 (b) An offense under this section is a misdemeanor
8 punishable by a fine of not more than [~~\$25 for the first offense and~~
9 ~~not more than~~] \$250 [~~for a second or subsequent offense~~].

10 SECTION 2. Section 545.4121(b), Transportation Code, is
11 amended to read as follows:

12 (b) It is a defense to prosecution of a first [~~an~~] offense to
13 which this section applies that the defendant provides to the court
14 evidence satisfactory to the court that the defendant possesses an
15 appropriate child passenger safety seat system for each child
16 required to be secured in a child passenger safety seat system under
17 Section 545.412(a). The defense does not apply if, at the time of
18 the offense, the motor vehicle is involved in an accident.

19 SECTION 3. The change in law made by this Act applies only
20 to an offense committed on or after the effective date of this Act.
21 An offense committed before the effective date of this Act is
22 governed by the law in effect on the date the offense was committed,
23 and the former law is continued in effect for that purpose. For
24 purposes of this section, an offense was committed before the

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1 effective date of this Act if any element of the offense occurred
2 before that date.

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