

By: Herrero

H.B. No. 3056

A BILL TO BE ENTITLED

AN ACT

relating to the penalty for the offense of leaving the scene of an accident that involves personal injury or death.

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

SECTION 1. Section 550.021, Transportation Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) A person commits an offense if the person does not stop or does not comply with the requirements of this section. Except as provided by Subsection (d), an [An] offense under this section:

(1) involving an accident resulting in death of or serious bodily injury, as defined by Section 1.07, Penal Code, to a person is a felony of the third degree; and

(2) involving an accident resulting in injury to which Subdivision (1) does not apply is punishable by:

(A) imprisonment in the Texas Department of Criminal Justice for not more than five years or confinement in the county jail for not more than one year;

(B) a fine not to exceed \$5,000; or

(C) both the fine and the imprisonment or confinement.

(d) If it is shown on the trial of an offense under this section that, at the time of an accident described by Subsection (a), the person is released on parole or to mandatory supervision,

1 is placed on community supervision, including deferred  
2 adjudication community supervision, has been previously convicted  
3 two or more times of a felony, or is driving during a period that the  
4 person's driver's license or privilege is suspended or revoked, the  
5 offense under this section:

6 (1) involving an accident resulting in death of or  
7 serious bodily injury, as defined by Section 1.07, Penal Code, to a  
8 person is a felony of the second degree; and

9 (2) involving an accident resulting in injury to which  
10 Subdivision (1) does not apply is punishable by:

11 (A) imprisonment in the Texas Department of  
12 Criminal Justice for not less than 2 years and not more than 20  
13 years;

14 (B) a fine not to exceed \$10,000; or

15 (C) both the fine and the imprisonment.

16 SECTION 2. The change in law made by this Act applies only  
17 to an offense committed on or after the effective date of this Act.  
18 An offense committed before the effective date of this Act is  
19 governed by the law in effect on the date the offense was committed,  
20 and the former law is continued in effect for that purpose. For  
21 purposes of this section, an offense was committed before the  
22 effective date of this Act if any element of the offense occurred  
23 before that date.

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