

## **BILL ANALYSIS**

H.B. 3743  
By: Spitzer  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that many injuries that a lay person or medical professional would deem as serious are not considered serious as defined by controlling case law. H.B. 3743 seeks to address this issue.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3743 amends the Penal Code to enhance the penalty for driving while intoxicated from a Class B misdemeanor to a Class A misdemeanor if it is shown on the trial of the offense that the person caused bodily injury to another as a result of operating a motor vehicle while intoxicated. The bill enhances the penalty for such an offense from a Class B misdemeanor to a Class A misdemeanor, with a minimum term of confinement of 180 days, if it is shown on the trial of the offense that the person caused bodily injury to another as a result of operating a motor vehicle while intoxicated and the person has previously been convicted of causing bodily injury to another as a result of such an offense. The bill enhances the penalty for causing bodily injury to another as a result of driving while intoxicated from a Class A misdemeanor to a state jail felony if it is shown on the trial of the offense that the person caused bodily injury to a peace officer, a firefighter, or emergency medical services personnel while in the actual discharge of an official duty.

### **EFFECTIVE DATE**

September 1, 2015.