

BILL ANALYSIS

H.B. 1327
By: Metcalf
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that drunk driving is an ongoing problem throughout Texas and contend that too many accidents resulting from drunk driving are punished lightly in comparison to the harm caused. H.B. 1327 seeks to give prosecutors another deterrent for keeping drunk drivers off the roads by enhancing the penalty for intoxicated assault and intoxicated manslaughter under certain conditions.

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. 1327 amends the Penal Code to enhance the penalty for intoxication assault from a third degree felony to a second degree felony and for intoxication manslaughter from a second degree felony to a first degree felony if it is shown on the trial of the offense that the actor caused serious bodily injury to or the death of, respectively, more than one person during the same criminal transaction or a person who is younger than 17 years of age; failed to stop, render aid, or provide the requisite information following a vehicle accident; was operating a motor vehicle without a valid driver's license appropriate for the class of vehicle being operated or without evidence of financial responsibility; failed to stop for, fled from, or evaded a pursuing law enforcement officer; or had previously been convicted one or more times of an offense relating to the operating of a motor vehicle while intoxicated, operating an aircraft while intoxicated, operating a watercraft while intoxicated, or operating or assembling an amusement ride while intoxicated.

H.B. 1327 repeals Section 49.09(b-4), Penal Code.

EFFECTIVE DATE

September 1, 2017.