

By: Oliverson, Thierry, Murr

H.B. No. 4070

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the criminal offense of passing a school bus; increasing a criminal penalty.

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

SECTION 1. Section 545.066, Transportation Code, is amended by amending Subsection (c) and adding Subsection (g) to read as follows:

(c) An offense under this section is a misdemeanor punishable by a fine of not less than \$500 or more than \$1,250, except that the offense is:

(1) a misdemeanor punishable by a fine of not less than \$1,000 or more than \$2,000 if the person is convicted of a second or subsequent offense under this section committed within five years of the date on which the most recent preceding offense was committed; or

(2) a felony of the third degree [~~Class A misdemeanor~~] if the person causes serious bodily injury to another [~~, or~~

~~[(3) a state jail felony if the person has been previously convicted under Subdivision (2)].~~

(g) If conduct constituting an offense under this section also constitutes an offense under another provision of law, the person may be prosecuted under either this section or the other provision.

SECTION 2. The change in law made by this Act applies only

1 to an offense committed on or after the effective date of this Act.
2 An offense committed before the effective date of this Act is
3 governed by the law in effect on the date the offense was committed,
4 and the former law is continued in effect for that purpose. For
5 purposes of this section, an offense was committed before the
6 effective date of this Act if any element of the offense occurred
7 before that date.

8 SECTION 3. This Act takes effect September 1, 2019.