

By: Oliverson

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 second 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.

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

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