

BILL ANALYSIS

H.B. 2147
By: Allen
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

On its own, driving with an invalid driver's license is a fine-only Class C misdemeanor. However, state law provides for the enhancement of the penalty for this offense to a Class B misdemeanor warranting up to six months in jail and a \$2,000 fine under certain circumstances. Tens of thousands of Texans are arrested and jailed each year for driving with an invalid license, some because they could not afford expensive surcharges based on minor driving infractions. Not only is this detrimental to the individuals sentenced to jail time, but taxpayers are also left footing the bill. H.B. 2147 seeks to eliminate the Class B misdemeanor enhancement for driving with an invalid license to allow county courts to focus on more serious offenses and prevent Texans from accumulating debt and criminal penalties that keep them from achieving financial security.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change 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. 2147 repeals Section 521.457(f), Transportation Code, which enhances the penalty for driving with an invalid driver's license from a Class C misdemeanor to a Class B misdemeanor if it is shown on the trial of the offense that the person:

- has previously been convicted of that offense; or
- at the time of the offense, was operating the vehicle in violation of the motor vehicle liability insurance requirement.

The bill amends the Transportation Code to make a conforming change.

EFFECTIVE DATE

September 1, 2021.