

By: Gervin-Hawkins

H.B. No. 435

A BILL TO BE ENTITLED

AN ACT

relating to increasing the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system.

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

SECTION 1. Subchapter D, Chapter 12, Penal Code, is amended by adding Section 12.501 to read as follows:

Sec. 12.501. PENALTY IF OFFENSE COMMITTED IN PUBLIC TRANSPORTATION VEHICLE. (a) Subject to Subsection (c), the punishment for an offense described by Subsection (b) is increased to the punishment prescribed for the next higher category of offense if it is shown on the trial of the offense that the offense was committed in a vehicle operated by an authority created under Chapter 451, 452, 453, 457, 458, or 460, Transportation Code.

(b) The increase in punishment authorized by this section applies only to an offense under Chapter 21, 22, or 29.

(c) If an offense described by Subsection (b) is punishable as a Class A misdemeanor, the minimum term of confinement for the offense is increased to 180 days. If an offense described by Subsection (b) is punishable as a felony of the first degree, the punishment for that offense may not be increased under this section.

(d) For the purposes of this section, "vehicle" means a bus, a railcar, rolling stock, or another vehicle used by the public for mass transit purposes.

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, 2021.