

By: Dutton

H.B. No. 1390

A BILL TO BE ENTITLED

AN ACT

relating to convictions considered for purposes of enhancing the punishment for certain intoxication offenses.

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

SECTION 1. Section 49.09, Penal Code, is amended by adding Subsection (i) to read as follows:

(i) A conviction may not be used for purposes of enhancement under this section if the conviction was for an offense under Section 49.04, 49.045, 49.05, 49.06, or 49.065 that was committed more than 10 years before the date on which the offense for which the person is being tried was committed.

SECTION 2. The change in law made by this Act applies to an offense committed on or after the effective date of this Act and to any criminal action pending on the effective date of this Act for an offense committed before that effective date. A final conviction for an offense punished under Section 49.09, Penal Code, that exists on the effective date of this Act is unaffected by this Act.

SECTION 3. This Act takes effect September 1, 2021.