

By: Zaffirini

S.B. No. 1760

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the issuance of a citation or written notice to appear  
3 to a person charged with the offense of driving while license  
4 invalid.

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

6 SECTION 1. Section 521.457, Transportation Code, is amended  
7 by adding Subsection (h) to read as follows:

8 (h) A peace officer, instead of arresting a person charged  
9 with an offense under this section and taking the person before a  
10 magistrate as required by Section 543.002 of this code and Article  
11 14.06(a), Code of Criminal Procedure:

12 (1) may issue the person a citation or written notice  
13 to appear as provided by Section 543.003 of this code or Article  
14 14.06(b) or (c), Code of Criminal Procedure, as applicable; and

15 (2) may allow a passenger in the motor vehicle to  
16 operate the vehicle following the issuance of the citation or  
17 written notice to appear if the passenger holds a driver's license  
18 and is otherwise fit to operate the vehicle.

19 SECTION 2. The change in law made by this Act applies only  
20 to an offense committed on or after the effective date of this Act.  
21 An offense committed before the effective date of this Act is  
22 governed by the law in effect on the date the offense was committed,  
23 and the former law is continued in effect for that purpose. For  
24 purposes of this section, an offense was committed before the

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1 effective date of this Act if any element of the offense occurred  
2 before that date.

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