

## **BILL ANALYSIS**

Senate Research Center  
89R720 CJD-D

S.B. 476  
By: Middleton  
Criminal Justice  
3/28/2025  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In September of 2022, 28-year-old Keith Brazier drove intoxicated through a red light at the intersection of Ave O and 41st in Galveston. Brazier collided with a Jeep and killed 14-year-old Mason Nelson and Samuel Mixon. Brazier had three DWI convictions (2016, 2018, and 2021) and had been let out on parole for his third drunk driving offense only hours before the fatal crash—he did not even serve a year of his three-year sentence.

Intoxication offenses have been the cause of countless deaths and permanently scarred families across Texas. S.B. 476 seeks to deter those considering committing offenses while intoxicated.

S.B. 476 increases the punishment of intoxication manslaughter resulting in the death of a person to life imprisonment. Additionally, offenders would be ineligible for parole if the offense is committed at 18 years of age or older.

The punishment enhancement applies if it's shown that the offender was restricted to driving with an ignition interlock device and (1) operated a vehicle without the device or (2) knowingly operated a vehicle with a malfunctioning/circumvented device.

As proposed, S.B. 476 amends current law relating to enhancing the criminal penalty for the offense of intoxication manslaughter in certain circumstances.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 49.09(b-2), Penal Code, as follows:

(b-2) Provides that an offense under Section 49.08 (Intoxication Manslaughter) is:

(1) creates this subdivision from existing text and makes no further changes;

(2) a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life if:

(A) the actor committed the offense when younger than 18 years of age; and

(B) it is shown on the trial of the offense that the actor violated certain restrictions involving an ignition interlock device; or

(3) a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life without parole if:

(A) the actor committed the offense when 18 years of age or older; and

(B) it is shown on the trial of the offense that the actor violated certain restrictions involving an ignition interlock device.

SECTION 2. Amends Section 49.09(c), Penal Code, by adding Subdivision (5) to define "ignition interlock device."

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2025.