

BILL ANALYSIS

Senate Research Center
89R8227 RDR-D

S.B. 826
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Driving while intoxicated (DWI) poses a significant danger to all road users, but the risk is even more severe in school zones, where children, parents, and school staff are particularly vulnerable. School zones are meant to be safe areas where young students can walk, bike, and be dropped off or picked up without the heightened threat of impaired drivers. Despite existing DWI laws, enhanced penalties for offenses committed in school zones are necessary to deter reckless behavior and reinforce the importance of protecting children. Strengthening penalties for DWI in school zones would serve as both a preventative measure and a means of holding offenders accountable for endangering the most vulnerable members of our communities.

S.B. 826 enhances a DWI that occurs in a school zone to a state jail felony.

As proposed, S.B. 826 amends current law relating to the operation of a motor vehicle in a school crossing zone while intoxicated and increases a criminal penalty.

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 49.04, Penal Code, by amending Subsection (b) and adding Subsection (e), as follows:

(b) Creates an exception under Subsection (e).

(e) Provides that, if it is shown on the trial of an offense under Section 49.04 (Driving While Intoxicated) that at the time of the offense the person was operating the motor vehicle in a school crossing zone during the time the reduced speed limit applies to the zone, the offense is a state jail felony. Defines "school crossing zone."

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.