

AN ACT

relating to the operation of a motor vehicle in a school crossing zone while intoxicated; increasing a criminal penalty.

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

SECTION 1. Section 49.04, Penal Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) Except as provided by Subsections (c), ~~and~~ (d), and (e) and Section 49.09, an offense under this section is a Class B misdemeanor, with a minimum term of confinement of 72 hours.

(e) If it is shown on the trial of an offense under this section 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. In this subsection, "school crossing zone" has the meaning assigned by Section 541.302, Transportation Code.

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

1 SECTION 3. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 826 passed the Senate on April 23, 2025, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 826 passed the House on May 28, 2025, by the following vote: Yeas 129, Nays 5, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor