

By: Eckhardt

S.B. No. 889

A BILL TO BE ENTITLED

AN ACT

relating to a defense to prosecution and the dismissal of a charge for the criminal offense of driving with an expired license.

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

SECTION 1. Section 521.025(d), Transportation Code, is amended to read as follows:

(d) It is a defense to prosecution under this section that ~~if~~ the person charged produces in court a driver's license:

(1) issued to that person;

(2) appropriate for the type of vehicle operated; and

(3) that was either:

(A) valid on the date ~~[at the time]~~ of the arrest for the offense; or

(B) expired for not more than 60 days before the date of the arrest for the offense if the person also produces in court confirmation that the person had scheduled before the date of the arrest for the offense an appointment to renew the license described by this paragraph.

SECTION 2. Section 521.026(a), Transportation Code, is amended to read as follows:

(a) A judge may dismiss a charge of driving with an expired license if the defendant remedies this defect within 60 ~~[20]~~ working days or before the defendant's first court appearance date, whichever is later.

1 SECTION 3. The change in law made by this Act applies only
2 to an offense committed on or after the effective date of this Act.
3 An offense committed before the effective date of this Act is
4 governed by the law in effect on the date the offense was committed,
5 and the former law is continued in effect for that purpose. For
6 purposes of this section, an offense was committed before the
7 effective date of this Act if any element of the offense occurred
8 before that date.

9 SECTION 4. This Act takes effect September 1, 2025.