By: Eckhardt

S.B. No. 1088

A BILL TO BE ENTITLED

1   AN ACT

2   relating to increasing the criminal penalty for the offense of

3   reckless driving.

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

5   SECTION 1.   Section 545.401, Transportation Code, is amended

6   by amending Subsection (b) and adding Subsections (b-1) and (e) to

7   read as follows:

8   (b)   Subject to Subsection (b-1), an [An] offense under this

9   section is a misdemeanor punishable by:

10   (1)   a fine not to exceed $200;

11   (2)   confinement in county jail for not more than 30

12   days; or

13   (3)   both the fine and the confinement.

14   (b-1)   Notwithstanding Subsection (b), an offense under this

15   section is a Class B misdemeanor if it is shown on the trial of the

16   offense that:

17   (1)   as a result of the offense the person caused a

18   collision and another person suffered bodily injury as a result of

19   the collision; and

20   (2)   at the time of the offense the person was operating

21   the vehicle:

22   (A)   at a speed of 20 miles per hour or more over

23   the posted speed limit in an urban district;

24   (B)   at a speed of 30 miles per hour or more over

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1 the posted speed limit outside of an urban district; or

2   (C) while using a portable wireless

3 communication device.

4   (e) If conduct that constitutes an offense under this

5 section also constitutes an offense under any other law, the actor

6 may be prosecuted under this section, the other law, or both.

7   SECTION 2. The change in law made by this Act applies only

8 to an offense committed on or after the effective date of this Act.

9 An offense committed before the effective date of this Act is

10 governed by the law in effect on the date the offense was committed,

11 and the former law is continued in effect for that purpose. For

12 purposes of this section, an offense was committed before the

13 effective date of this Act if any element of the offense occurred

14 before that date.

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