

BILL ANALYSIS

Senate Research Center

H.B. 133
By: Hochberg (Gallegos)
Criminal Justice
5-10-97
Engrossed

DIGEST

Currently, Section 49.01, Penal Code, defines intoxication as "having an alcohol concentration of 0.10 or more." This bill would lower the alcohol concentration at which a driver is legally intoxicated to 0.08.

PURPOSE

As proposed, H.B. 133 lowers the alcohol concentration at which a driver is legally intoxicated to 0.08.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 49.01(2), Penal Code, to provide that "intoxicated" means, among other items, having an alcohol concentration of 0.08, rather than 0.10, or more.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.