

BILL ANALYSIS

Senate Research Center

S.B. 50
By: Shapiro
Criminal Justice
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As Filed

DIGEST

Currently, when a person's driver's license is suspended upon a DWI conviction, the penalty for driving while the license is suspended is a Class A misdemeanor. This bill would enhance the penalty to a state jail felony for driving while a license is suspended for a DWI offense.

PURPOSE

As proposed, S.B. 50, makes the penalty for driving while a driver's license is suspended, due to certain conditions, a state jail felony.

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 521.457, Transportation Code, by amending Subsections (e) and (f), redesignating Subsection (g) as Subsection (h), and adding a new Subsection (g), as follows:

- (e) Makes conforming changes.
- (f) Provides that this subsection does not apply to an offense punishable under Subsection (g).
- (g) Provides that a person commits a state jail felony if it is shown on the trial of the offense that the person's driver's license was suspended for an offense under Section 49.04, Penal Code, for which the person was punished under Section 49.09(b) of that code, or an offense under Section 49.07 or 49.08 of that code.
- (h) Created from existing Subsection (g).

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.