

BILL ANALYSIS

Senate Research Center
76R7481 DWS-F

H.B. 3433
By: Delisi (Cain)
State Affairs
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Engrossed

DIGEST

Currently, double fines are imposed for a moving traffic violations that occur in a marked construction or maintenance work zone when workers are present. However, under Code of Criminal Procedure, an individual is eligible to have the violation suspended or deferred if the individual meets certain conditions. H.B. 3433 would prohibit an individual who is convicted of a moving violations in certain construction or maintenance zones from having the violation suspended or deferred, and the charge from being dismissed.

PURPOSE

As proposed, H.B. 3433 amends regulations regarding the dismissal of certain traffic offenses occurring in a construction or maintenance work zone.

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 472.022, Transportation Code, by adding Subsection (f), to provide that Article 45.54, Code of Criminal Procedure, does not apply to an offense under this section committed in a construction or maintenance work zone when workers are present.

SECTION 2. Amends Chapter 543B, Transportation Code, by adding Section 543.117, as follows:

Sec. 543.117. OFFENSE IN CONSTRUCTION OR MAINTENANCE WORK ZONE.
Prohibits a charge from being dismissed under this subchapter for an offense to which Section 542.404 or 729.004 applies.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.