

BILL ANALYSIS

Senate Research Center
80R3535 JRJ-D

S.B. 798
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Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When approaching an intersection controlled by a stop sign or a yield sign, drivers are required to yield the right-of-way to other cars already in the intersection or when it would be hazardous not to yield. Currently, the penalty for failing to properly yield the right-of-way is the same regardless of whether a collision results from the violation, and if so, without regard to the severity of the collision.

As proposed, S.B. 798 enhances the punishment for failing to yield the right-of-way if, as a result of the violation, a collision causing property damage occurs or causing serious bodily harm or death. This bill also requires a judge granting community supervision for a violation of Section 545.153 (Vehicle Entering Stop or Yield Intersection), Transportation Code, that resulted in serious bodily injury or death to be confined in jail for not less than 30 days as a condition of community supervision.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 545.153, Transportation Code, by adding Subsection (e), to set forth specific penalties for a collision causing property damage or serious bodily injury resulting from the commission of an offense under this section (Vehicle Entering Stop or Yield Intersection).

SECTION 2. Amends Section 11, Article 42.12, Code of Criminal Procedure, by adding Subsection (m), to require a judge granting community supervision to a defendant convicted under Section 545.153 to require as a condition thereof that the defendant submit to at least 30 days of confinement in jail if the offense resulted in serious bodily injury or death.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.