

## **BILL ANALYSIS**

C.S.H.B. 3061  
By: Guillen  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties suggest that allowing individuals to ride in the trunk of a vehicle while it is being operated should be discouraged because this practice is dangerous and may be used for human trafficking. C.S.H.B. 3061 seeks to address this issue by providing for the offense of operating a motor vehicle while another person is occupying the trunk.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3061 amends the Transportation Code to create a Class B misdemeanor offense for a person who operates a motor vehicle on a highway or street while another person is occupying the trunk.

### **EFFECTIVE DATE**

September 1, 2017.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3061 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### **INTRODUCED**

SECTION 1. Subchapter I, Chapter 545, Transportation Code, is amended by adding Section 545.4141 to read as follows:

Sec. 545.4141. CARRYING PERSON IN TRUNKS; OFFENSE. (a) In this section, "trunk" means that portion of a motor vehicle that is:

#### **HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Subchapter I, Chapter 545, Transportation Code, is amended by adding Section 545.4141 to read as follows:

Sec. 545.4141. CARRYING PERSON IN TRUNK; OFFENSE. (a) In this section, "trunk" means that portion of a motor vehicle that is:

85R 27502

17.121.890

Substitute Document Number: 85R 23941

(1) designed for the transportation of cargo and not the transportation of the operator or passengers; and  
(2) enclosed on all sides and accessible only by means of a door or lid.  
(b) A person commits an offense if the person operates a motor vehicle on a highway or street while another person is occupying the trunk.  
(c) An offense under this section is a Class C misdemeanor.

SECTION 2. This Act takes effect September 1, 2017.

(1) designed for the transportation of cargo and not the transportation of the operator or passengers; and  
(2) enclosed on all sides and accessible only by means of a door or lid.  
(b) A person commits an offense if the person operates a motor vehicle on a highway or street while another person is occupying the trunk.  
(c) An offense under this section is a Class B misdemeanor.

SECTION 2. Same as introduced version.