

BILL ANALYSIS

C.S.H.B. 812
By: Wu
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerned observers note the high incidence of accidents resulting from pedestrians standing in or near roadways. C.S.H.B. 812 seeks to address this issue by revising provisions relating to the prohibition against standing in a roadway.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change 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. 812 amends the Transportation Code to replace the prohibition against a person standing in a roadway to solicit a ride, contribution, employment, or business from an occupant of a vehicle unless authorized by the applicable local authority to solicit a charitable contribution with a prohibition against a person standing in a roadway in a manner that impedes vehicular traffic or presents a danger to the person or another person unless authorized to do so by such a local authority. The bill repeals the prohibition against a person standing on or near a highway to solicit the watching or guarding of a vehicle parked or to be parked on the highway and provisions relating to the requirement for a local authority to grant authorization for a person to stand in a roadway to solicit a charitable contribution under certain conditions.

C.S.H.B. 812 repeals Sections 552.007(b) and (c) and Section 552.0071, Transportation Code.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 812 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	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. The heading to Section	SECTION 1. The heading to Section

552.007, Transportation Code, is amended to read as follows:
Sec. 552.007. STANDING ON OR NEAR HIGHWAY [~~SOLICITATION BY PEDESTRIANS~~].

SECTION 2. Section 552.007(a), Transportation Code, is amended to read as follows:
(a) A person may not stand in a roadway [~~to solicit a ride, contribution, employment, or business from an occupant of a vehicle~~], except that a person may stand in a roadway to solicit a charitable contribution if authorized to do so by the local authority having jurisdiction over the roadway.

No equivalent provision.

SECTION 3. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date.
(b) An offense committed before the effective date of this Act is governed by the law in effect at the time the offense was committed, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2017.

552.007, Transportation Code, is amended to read as follows:
Sec. 552.007. [~~SOLICITATION BY~~] PEDESTRIANS IN ROADWAY.

SECTION 2. Section 552.007(a), Transportation Code, is amended to read as follows:
(a) A person may not stand in a roadway in a manner that impedes vehicular traffic or presents a danger to the person or another person unless [~~to solicit a ride, contribution, employment, or business from an occupant of a vehicle, except that a person may stand in a roadway to solicit a charitable contribution if~~] authorized to do so by the local authority having jurisdiction over the roadway.

SECTION 3. Sections 552.007(b) and (c) and 552.0071, Transportation Code, are repealed.

SECTION 4. The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 5. Same as introduced version.