

BILL ANALYSIS

H.B. 1811
By: Murr
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the high incidence of boating-related fatalities across Texas. It has been suggested that boating presents a unique environment for operators, with variable factors such as sun, wind, noise, and vibration all impacting the operation of a boat. With these stressors in mind, there have been calls for stronger penalties against those who operate a boat while severely intoxicated. H.B. 1811 seeks to address this issue by providing an enhanced penalty for boating while intoxicated with an alcohol concentration level over a specified threshold.

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

H.B. 1811 amends the Penal Code to enhance the penalty for a boating while intoxicated offense from a Class B misdemeanor to a Class A misdemeanor if it is shown on the trial of the offense that an analysis of a specimen of the offender's blood, breath, or urine showed an alcohol concentration level of 0.15 or more at the time the analysis was performed.

EFFECTIVE DATE

September 1, 2019.