

BILL ANALYSIS

Senate Research Center

S.B. 916
By: Nixon
Criminal Justice
3-19-97
As Filed

DIGEST

Currently, the offense of intoxication manslaughter is a felony of the second degree, regardless of the age of the victim or any previous convictions. Although driving while intoxicated laws have been strengthened over the last decade, drunk driving continues to take a toll on Texas. This bill will increase the penalty for intoxication manslaughter if the person has previously been convicted of certain offenses and the victim is younger than 15 years of age.

PURPOSE

As proposed, S.B. 916 increases the penalty for intoxication manslaughter if the person has previously been convicted of certain offenses and the victim is younger than 15 years of age.

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 49.08(b), Penal Code, to provide that, except as otherwise provided by this subsection, a person commits a felony of the second degree if a person commits an offense under this section. Provides that a person commits a felony of the first degree if the person has previously been convicted of an offense relating to the operating of a motor vehicle while intoxicated, an offense of operating an aircraft while intoxicated, or an offense of operating a watercraft while intoxicated, and the victim of the offense is a person younger than 15 years of age.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.