

BILL ANALYSIS

Senate Research Center

H.B. 1739

By: Martinez Fischer (Van de Putte)

Criminal Justice

4/23/2001

Engrossed(REVISED)

DIGEST AND PURPOSE

Current law provides a minimum penalty of \$25 and maximum penalty of \$50 for offenses involving unrestrained child passengers. As proposed, H.B. 1739 increases the penalty for child seat belt and safety seat system offenses to a minimum penalty of \$100 and maximum of \$200.

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 545.412, Transportation Code, by amending Subsection (b) and adding Subsection (g), as follows:

(b) Provides that an offense under this section is a misdemeanor punishable by a fine of not less than \$100, rather than \$25, or more than \$200, rather than \$50.

(g) Requires a judge, acting under Article 45.0511 (Deferred Disposition Procedures Applicable to Traffic Offenses), Code of Criminal Procedure, who elects to defer further proceedings and to place a defendant accused of a violation of this section on probation under this article, in lieu of requiring the defendant to complete a driving safety course approved by the Texas Education Agency (TEA), to require the defendant to attend and present proof that the defendant has successfully completed an educational program developed and implemented by the Department of Public Safety acting directly or through its authorized officers and agents(department) to encourage the use of child passenger safety seat systems and to emphasize certain information.

SECTION 2. Amends Section 545.413, Transportation Code, by amending Subsection (d) and adding Subsection (i), as follows:

(d) Provides that an offense under Subsection (a) is a misdemeanor punishable by a fine of not less than \$25 or more than \$50. Makes a conforming and nonsubstantive change.

(i) Makes a conforming change.

SECTION 3. (a) Effective date: September 1, 2001.

(b) Provides that this Act applies only to an offense committed on or after September 1, 2001.

(c) Makes application of this Act prospective.