

SUBJECT: Eliminating enhancement for repeat offense of driving with license invalid

COMMITTEE: Homeland Security and Public Safety — favorable, without amendment

VOTE: 6 ayes — White, Bowers, Goodwin, E. Morales, Schaefer, Tinderholt

3 nays — Harless, Hefner, Patterson

WITNESSES: For — Justin Martinez, Texas Criminal Justice Coalition; Emily Gerrick, Texas Fair Defense Project; (*Registered, but did not testify*: Lauren Johnson, ACLU of Texas; Chas Moore, Austin Justice Coalition; Scott Henson, Just Liberty; Julie Campbell)

Against — (*Registered, but did not testify*: James Smith, San Antonio Police Department; Mitch Landry, Texas Municipal Police Association; Dee Chambless)

On — (*Registered, but did not testify*: Thomas Parkinson)

BACKGROUND: Transportation Code sec. 521.457(e) makes driving with an invalid license a class C misdemeanor (maximum fine of \$500). Under sec. 521.457(f), the offense is a class B misdemeanor (up to 180 days in jail and/or a maximum fine of \$2,000), if the person had previously been convicted of an offense or at the time of the offense, was operating the motor vehicle in violation of vehicle liability insurance requirements.

Concerns have been raised that these provisions can result in drivers accumulating debt and criminal penalties that can then hinder their efforts at financial stability and can be costly for county jails housing individuals convicted of the offense.

DIGEST: HB 2147 would eliminate provisions that enhance the offense of driving without a license to a class B misdemeanor.

The bill would take effect September 1, 2021, and would apply to offenses committed on or after that date.

