

## **BILL ANALYSIS**

Senate Research Center

S.B. 1785  
By: Gallegos  
Transportation & Homeland Security  
4/22/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Every year, thousands are killed in highway crashes involving commercial motor vehicles. As proposed, S.B. 1785 allows for a \$100,000 penalty against those corporations or associations adjudged to have committed criminally negligent homicide in the operation of a commercial motor vehicle. S.B. 1758 creates greater emphasis in the Penal Code in regards to the criminal negligence of owners, allowing Texas to ensure more effective enforcement. By enhancing this fine from \$50,000, Texas can further deter noncompliance in the industry.

### **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 12.51, Penal Code, by amending Subsections (b) and (c) and adding Subsection (f), as follows:

(b) Authorizes a court, if a corporation or association is adjudged guilty of an offense that provides a penalty including imprisonment, or that provides no specific penalty, to sentence the corporation or association to pay a fine in an amount fixed by the court, not to exceed \$100,00 if, as a result of criminally negligent conduct involving the inspection, maintenance, or operation of a commercial motor vehicle, an individual suffers death.

(c) Makes a conforming change.

(f) Defines "commercial motor vehicle."

SECTION 2. (a) Effective date: September 1, 2003. [sic]

(b) Makes application of this Act prospective.