

CHAPTER 843

H.B. No. 38

AN ACT

1  
2 relating to the penalty for an offense involving motor vehicle  
3 airbags.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 547.614, Transportation Code, is amended  
6 by amending Subsection (b) and adding Subsection (e) to read as  
7 follows:

8 (b) Except as provided by Subsections (c), ~~and~~ (d), and  
9 (e), an offense under this section is a state jail felony [~~Class A~~  
10 ~~misdemeanor~~].

11 (e) An offense under this section is a felony of the first  
12 degree if it is shown on the trial of the offense that the offense  
13 resulted in the death of a person.

14 SECTION 2. The change in law made by this Act applies only  
15 to an offense committed on or after the effective date of this Act.  
16 An offense committed before the effective date of this Act is  
17 covered by the law in effect on the date the offense was committed,  
18 and the former law is continued in effect for that purpose. For  
19 purposes of this section, an offense was committed before the  
20 effective date of this Act if any element of the offense occurred  
21 before that date.

22 SECTION 3. This Act takes effect September 1, 2013.

David Dewhurst

President of the Senate

Joe Straus  
Speaker of the House

I certify that H.B. No. 38 was passed by the House on April 10, 2013, by the following vote: Yeas 143, Nays 1, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 38 on May 24, 2013, by the following vote: Yeas 115, Nays 25, 2 present, not voting.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 38 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Letsy Spaw  
Secretary of the Senate

APPROVED: 14 JUNE '13

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
10 PM O'CLOCK

JUN 14 2013

[Signature]  
Secretary of State