

By: McClendon

H.B. No. 68

A BILL TO BE ENTITLED

1 AN ACT

2 relating to public nuisance actions involving criminal street  
3 gangs.

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

5 SECTION 1. Section 125.061(2), Civil Practice and Remedies  
6 Code, is amended to read as follows:

7 (2) "Continuously or regularly" means at least five  
8 times in a period of not more than 12 [~~six~~] months.

9 SECTION 2. For purposes of determining whether gang  
10 activities are continuous or regular, the change in law made by this  
11 Act applies only to a gang activity that occurs on or after the  
12 effective date of this Act, or in the six-month period immediately  
13 preceding the effective date of this Act. A gang activity that  
14 occurred more than six months before the effective date of this Act  
15 is covered by the law as it existed when the gang activity occurred,  
16 and that law is continued in effect for that purpose.

17 SECTION 3. This Act takes effect September 1, 2005.