

1-1 By: McClendon (Senate Sponsor - Williams) H.B. No. 68
1-2 (In the Senate - Received from the House March 23, 2005;
1-3 March 30, 2005, read first time and referred to Committee on
1-4 Criminal Justice; May 13, 2005, reported favorably by the
1-5 following vote: Yeas 5, Nays 0; May 13, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to public nuisance actions involving criminal street
1-9 gangs.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 125.061(2), Civil Practice and Remedies
1-12 Code, is amended to read as follows:

1-13 (2) "Continuously or regularly" means at least five
1-14 times in a period of not more than 12 [~~six~~] months.

1-15 SECTION 2. For purposes of determining whether gang
1-16 activities are continuous or regular, the change in law made by this
1-17 Act applies only to a gang activity that occurs on or after the
1-18 effective date of this Act, or in the six-month period immediately
1-19 preceding the effective date of this Act. A gang activity that
1-20 occurred more than six months before the effective date of this Act
1-21 is covered by the law as it existed when the gang activity occurred,
1-22 and that law is continued in effect for that purpose.

1-23 SECTION 3. This Act takes effect September 1, 2005.

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