

By: Estes

S.B. No. 110

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for the offense of criminal conspiracy to manufacture certain controlled substances.

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

SECTION 1. Section 15.02, Penal Code, is amended by amending Subsection (d) and adding Subsection (e) to read as follows:

(d) Except as provided by Subsection (e), an [An] offense under this section is one category lower than the most serious felony that is the object of the conspiracy, and if the most serious felony that is the object of the conspiracy is a state jail felony, the offense is a Class A misdemeanor.

(e) If the felony that is the object of the conspiracy is the manufacture of a controlled substance proscribed by Section 481.112, Health and Safety Code, an offense under this section is the same category as the felony that is the object of the conspiracy.

SECTION 2. (a) The change in law made by this Act applies only to an offense committed on or after September 1, 2005.

(b) An offense committed before September 1, 2005, is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before September 1, 2005, if any element of the offense was committed before that date.

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