

By: Moody, Leibowitz, et al.

H.B. No. 2187

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the prosecution and punishment of offenses involving
3 coercing, inducing, or soliciting membership in a criminal street
4 gang.

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

6 SECTION 1. The heading to Section 71.022, Penal Code, is
7 amended to read as follows:

8 Sec. 71.022. COERCING, INDUCING, OR SOLICITING MEMBERSHIP
9 IN A CRIMINAL STREET GANG.

10 SECTION 2. Section 71.022, Penal Code, is amended by adding
11 Subsections (a-1) and (d) to read as follows:

12 (a-1) A person commits an offense if, with intent to coerce,
13 induce, or solicit a child to actively participate in the
14 activities of a criminal street gang, the person:

15 (1) threatens the child with imminent bodily injury;

16 or

17 (2) causes bodily injury to the child.

18 (d) In this section, "child" means an individual younger
19 than 17 years of age.

20 SECTION 3. Section 22.015, Penal Code, is repealed.

21 SECTION 4. (a) The change in law made by this Act in
22 amending Section 71.022, Penal Code, applies only to an offense
23 committed on or after the effective date of this Act. An offense
24 committed before the effective date of this Act is covered by the

1 law in effect when the offense was committed, and the former law is
2 continued in effect for that purpose. For purposes of this section,
3 an offense was committed before the effective date of this Act if
4 any element of the offense occurred before that date.

5 (b) The repeal by this Act of Section 22.015, Penal Code,
6 does not apply to an offense committed under that section before the
7 effective date of the repeal. An offense committed before the
8 effective date of the repeal is covered by that section as it
9 existed on the date on which the offense was committed, and the
10 former law is continued in effect for that purpose. For purposes of
11 this subsection, an offense is committed before the effective date
12 of the repeal if any element of the offense occurs before that date.

13 SECTION 5. This Act takes effect September 1, 2009.