

AN ACT

relating to the prosecution and punishment of offenses involving  
coercing, inducing, or soliciting membership in a criminal street  
gang.

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

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

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

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

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

(1) threatens the child or a member of the child's  
family with imminent bodily injury; or

(2) causes bodily injury to the child or a member of  
the child's family.

(d) In this section:

(1) "Child" means an individual younger than 17 years  
of age.

(2) "Family" has the meaning assigned by Section  
71.003, Family Code.

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 Section 22.015, Penal Code, is repealed.

1           SECTION 4. (a) The change in law made by this Act in  
2 amending Section 71.022, Penal Code, applies only to an offense  
3 committed on or after the effective date of this Act. An offense  
4 committed before the effective date of this Act is covered by the  
5 law in effect when the offense was committed, and the former law is  
6 continued in effect for that purpose. For purposes of this section,  
7 an offense was committed before the effective date of this Act if  
8 any element of the offense occurred before that date.

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

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

H.B. No. 2187

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2187 was passed by the House on April 24, 2009, by the following vote: Yeas 139, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2187 on May 23, 2009, by the following vote: Yeas 140, Nays 1, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2187 was passed by the Senate, with amendments, on May 21, 2009, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor