

Amend CSSB 9 (senate committee report) in SECTION 11 of the bill by striking amended Section 71.023(a), Penal Code (page 4, line 63, through page 5, line 8), and substituting the following:

(a) A person commits an offense if the person, as part of the identifiable leadership of a criminal street gang, knowingly ~~[initiates, organizes, plans,]~~ finances, directs, ~~[manages,]~~ or supervises the commission of, or a conspiracy to commit, one or more of the following offenses by ~~[a criminal street gang or]~~ members of a criminal street gang:

(1) a felony that is listed in Section 3g(a)(1), Article 42.12, Code of Criminal Procedure;

(2) a felony for which it is shown that a deadly weapon, as defined by Section 1.07, was used or exhibited during the commission of the offense or during immediate flight from the commission of the offense; or

(3) an offense that is punishable as a felony of the first or second degree under Chapter 481, Health and Safety Code ~~[with the intent to benefit, promote, or further the interests of the criminal street gang or to increase the person's standing, position, or status in the criminal street gang].~~