

By: Pena

H.B. No. 2057

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the offense of criminal conspiracy to interfere with an election.

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

SECTION 1. Section 71.02(a), Penal Code, as amended by Chapters 153 (S.B. 2225), 1130 (H.B. 2086), and 1357 (S.B. 554), Acts of the 81st Legislature, Regular Session, 2009, is reenacted and amended to read as follows:

(a) A person commits an offense if, with the intent to establish, maintain, or participate in a combination or in the profits of a combination or as a member of a criminal street gang, the person commits or conspires to commit one or more of the following:

(1) murder, capital murder, arson, aggravated robbery, robbery, burglary, theft, aggravated kidnapping, kidnapping, aggravated assault, aggravated sexual assault, sexual assault, forgery, deadly conduct, assault punishable as a Class A misdemeanor, burglary of a motor vehicle, or unauthorized use of a motor vehicle;

(2) any gambling offense punishable as a Class A misdemeanor;

(3) promotion of prostitution, aggravated promotion of prostitution, or compelling prostitution;

(4) unlawful manufacture, transportation, repair, or

1 sale of firearms or prohibited weapons;

2 (5) unlawful manufacture, delivery, dispensation, or
3 distribution of a controlled substance or dangerous drug, or
4 unlawful possession of a controlled substance or dangerous drug
5 through forgery, fraud, misrepresentation, or deception;

6 (6) any unlawful wholesale promotion or possession of
7 any obscene material or obscene device with the intent to wholesale
8 promote the same;

9 (7) any offense under Subchapter B, Chapter 43,
10 depicting or involving conduct by or directed toward a child
11 younger than 18 years of age;

12 (8) any felony offense under Chapter 32;

13 (9) any offense under Chapter 36;

14 (10) any offense under Chapter 34 or 35;

15 (11) any offense under Section 37.11(a);

16 (12) any offense under Chapter 20A;

17 (13) any offense under Section 37.10; ~~[or]~~

18 (14) any offense under Section 38.06, 38.07, 38.09, or
19 38.11;i

20 (15) ~~[(14)]~~ any offense under Section 42.10;i

21 (16) ~~[(14)]~~ any offense under Section 46.06(a)(1) or
22 46.14;i or

23 (17) any offense under Chapter 13, 64, 84, or 86,
24 Election Code.

25 SECTION 2. The change in law made by this Act applies only
26 to an offense committed on or after the effective date of this Act.
27 An offense committed before the effective date of this Act is

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

5 SECTION 3. To the extent of any conflict, this Act prevails
6 over another Act of the 82nd Legislature, Regular Session, 2011,
7 relating to nonsubstantive additions to and corrections in enacted
8 codes.

9 SECTION 4. This Act takes effect September 1, 2011.