

Amend SB 2 (house committee report) as follows:

(1) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 7.02, Penal Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Except as provided by Subsection (c), if [~~if~~] in the attempt to carry out a conspiracy to commit one felony~~]~~ another felony is committed by one of the conspirators, all conspirators are guilty of the felony actually committed, though having no intent to commit it, provided that [~~if~~] the offense was committed in furtherance of the unlawful purpose and was one that should have been anticipated as a result of the carrying out of the conspiracy.

(c) Notwithstanding any other law, an individual may not be charged with a capital felony under Subsection (b) if the individual is younger than 18 years of age at the time the capital felony is committed by one of the conspirators.

(2) On page 2, line 16, strike "The change" and substitute "(a) Except as provided by Subsection (b) of this section, the change".

(3) On page 2, between lines 22 and 23, insert the following:

(b) The change in law made by this Act in amending Section 7.02, Penal Code, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act 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 subsection, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.