

By: Estes

S.B. No. 1661

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the consequences of engaging in certain conduct  
3 characteristic of organized crime; providing penalties.

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

5 SECTION 1. Section 19.03(a), Penal Code, is amended to read  
6 as follows:

7 (a) A person commits an offense if the person commits murder  
8 as defined under Section 19.02(b)(1) and:

9 (1) the person murders a peace officer or fireman who  
10 is acting in the lawful discharge of an official duty and who the  
11 person knows is a peace officer or fireman;

12 (2) the person intentionally commits the murder in the  
13 course of committing or attempting to commit an offense under:

14 (A) Section 20.03 (Kidnapping);

15 (B) Section 22.021 (Aggravated Sexual Assault);

16 (C) Section 22.07(a)(1), (3), (4), (5), or (6)  
17 (Terroristic Threat);

18 (D) Section 28.02 (Arson);

19 (E) Section 29.02 (Robbery);

20 (F) Section 30.02 (Burglary);

21 (G) Section 36.06 (Obstruction or Retaliation);

22 or

23 (H) Section 71.02 (Engaging in Organized  
24 Criminal Activity) [~~kidnapping, burglary, robbery, aggravated~~

1 ~~sexual assault, arson, obstruction or retaliation, or terroristic~~  
2 ~~threat under Section 22.07(a)(1), (3), (4), (5), or (6)];~~

3 (3) the person commits the murder for remuneration or  
4 the promise of remuneration or employs another to commit the murder  
5 for remuneration or the promise of remuneration;

6 (4) the person commits the murder while escaping or  
7 attempting to escape from a penal institution;

8 (5) the person, while incarcerated in a penal  
9 institution, murders another:

10 (A) who is employed in the operation of the penal  
11 institution; or

12 (B) with the intent to establish, maintain, or  
13 participate in a combination or in the profits of a combination;

14 (6) the person:

15 (A) while incarcerated for an offense under this  
16 section or Section 19.02, murders another; or

17 (B) while serving a sentence of life imprisonment  
18 or a term of 99 years for an offense under Section 20.04, 22.021, or  
19 29.03, murders another;

20 (7) the person murders more than one person:

21 (A) during the same criminal transaction; or

22 (B) during different criminal transactions but  
23 the murders are committed pursuant to the same scheme or course of  
24 conduct;

25 (8) the person murders an individual under 10 years of  
26 age; or

27 (9) the person murders another person in retaliation

1 for or on account of the service or status of the other person as a  
2 judge or justice of the supreme court, the court of criminal  
3 appeals, a court of appeals, a district court, a criminal district  
4 court, a constitutional county court, a statutory county court, a  
5 justice court, or a municipal court.

6 SECTION 2. Section 20.05(a), Penal Code, is amended to read  
7 as follows:

8 (a) A person commits an offense if the person intentionally  
9 transports [~~uses a motor vehicle, aircraft, or watercraft to~~  
10 ~~transport~~] an individual with the intent to:

11 (1) conceal the individual from a peace officer or  
12 special investigator; or

13 (2) flee from a person the actor knows is a peace  
14 officer or special investigator attempting to lawfully arrest or  
15 detain the actor.

16 SECTION 3. The change in law made by this Act applies only  
17 to an offense committed on or after the effective date of this Act.  
18 An offense committed before the effective date of this Act is  
19 governed by the law in effect on the date the offense was committed,  
20 and the former law is continued in effect for that purpose. For  
21 purposes of this section, an offense was committed before the  
22 effective date of the Act if any element of the offense occurred  
23 before that date.

24 SECTION 4. This Act takes effect September 1, 2013.