

By: Bonnen of Brazoria, Phillips, Oliveira,
Lucio III, Parker, et al.

H.B. No. 11

Substitute the following for H.B. No. 11:

By: Phillips

C.S.H.B. No. 11

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the powers and duties of the Texas Department of Public
3 Safety and the investigation, prosecution, punishment, and
4 prevention of certain offenses; creating an offense and increasing
5 a criminal penalty.

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

7 SECTION 1. Article 2.12, Code of Criminal Procedure, is
8 amended to read as follows:

9 Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace
10 officers:

11 (1) sheriffs, their deputies, and those reserve
12 deputies who hold a permanent peace officer license issued under
13 Chapter 1701, Occupations Code;

14 (2) constables, deputy constables, and those reserve
15 deputy constables who hold a permanent peace officer license issued
16 under Chapter 1701, Occupations Code;

17 (3) marshals or police officers of an incorporated
18 city, town, or village, and those reserve municipal police officers
19 who hold a permanent peace officer license issued under Chapter
20 1701, Occupations Code;

21 (4) rangers, ~~and~~ officers, and members of the
22 reserve officer corps commissioned by the Public Safety Commission
23 and the Director of the Department of Public Safety;

24 (5) investigators of the district attorneys', criminal

1 district attorneys', and county attorneys' offices;

2 (6) law enforcement agents of the Texas Alcoholic
3 Beverage Commission;

4 (7) each member of an arson investigating unit
5 commissioned by a city, a county, or the state;

6 (8) officers commissioned under Section [37.081](#),
7 Education Code, or Subchapter E, Chapter 51, Education Code;

8 (9) officers commissioned by the General Services
9 Commission;

10 (10) law enforcement officers commissioned by the
11 Parks and Wildlife Commission;

12 (11) airport police officers commissioned by a city
13 with a population of more than 1.18 million located primarily in a
14 county with a population of 2 million or more that operates an
15 airport that serves commercial air carriers;

16 (12) airport security personnel commissioned as peace
17 officers by the governing body of any political subdivision of this
18 state, other than a city described by Subdivision (11), that
19 operates an airport that serves commercial air carriers;

20 (13) municipal park and recreational patrolmen and
21 security officers;

22 (14) security officers and investigators commissioned
23 as peace officers by the comptroller;

24 (15) officers commissioned by a water control and
25 improvement district under Section [49.216](#), Water Code;

26 (16) officers commissioned by a board of trustees
27 under Chapter 54, Transportation Code;

1 (17) investigators commissioned by the Texas Medical
2 Board;

3 (18) officers commissioned by:

4 (A) the board of managers of the Dallas County
5 Hospital District, the Tarrant County Hospital District, the Bexar
6 County Hospital District, or the El Paso County Hospital District
7 under Section [281.057](#), Health and Safety Code;

8 (B) the board of directors of the Ector County
9 Hospital District under Section [1024.117](#), Special District Local
10 Laws Code; and

11 (C) the board of directors of the Midland County
12 Hospital District of Midland County, Texas, under Section [1061.121](#),
13 Special District Local Laws Code;

14 (19) county park rangers commissioned under
15 Subchapter E, Chapter 351, Local Government Code;

16 (20) investigators employed by the Texas Racing
17 Commission;

18 (21) officers commissioned under Chapter 554,
19 Occupations Code;

20 (22) officers commissioned by the governing body of a
21 metropolitan rapid transit authority under Section [451.108](#),
22 Transportation Code, or by a regional transportation authority
23 under Section [452.110](#), Transportation Code;

24 (23) investigators commissioned by the attorney
25 general under Section [402.009](#), Government Code;

26 (24) security officers and investigators commissioned
27 as peace officers under Chapter 466, Government Code;

1 (25) an officer employed by the Department of State
2 Health Services under Section [431.2471](#), Health and Safety Code;

3 (26) officers appointed by an appellate court under
4 Subchapter F, Chapter 53, Government Code;

5 (27) officers commissioned by the state fire marshal
6 under Chapter 417, Government Code;

7 (28) an investigator commissioned by the commissioner
8 of insurance under Section [701.104](#), Insurance Code;

9 (29) apprehension specialists and inspectors general
10 commissioned by the Texas Juvenile Justice Department as officers
11 under Sections [242.102](#) and [243.052](#), Human Resources Code;

12 (30) officers appointed by the inspector general of
13 the Texas Department of Criminal Justice under Section [493.019](#),
14 Government Code;

15 (31) investigators commissioned by the Texas
16 Commission on Law Enforcement under Section [1701.160](#), Occupations
17 Code;

18 (32) commission investigators commissioned by the
19 Texas Private Security Board under Section [1702.061](#) [~~[1702.061\(f\)](#)~~],
20 Occupations Code;

21 (33) the fire marshal and any officers, inspectors, or
22 investigators commissioned by an emergency services district under
23 Chapter 775, Health and Safety Code;

24 (34) officers commissioned by the State Board of
25 Dental Examiners under Section [254.013](#), Occupations Code, subject
26 to the limitations imposed by that section;

27 (35) investigators commissioned by the Texas Juvenile

1 Justice Department as officers under Section 221.011, Human
2 Resources Code; and

3 (36) the fire marshal and any related officers,
4 inspectors, or investigators commissioned by a county under
5 Subchapter B, Chapter 352, Local Government Code.

6 SECTION 2. Section 4, Article 18.20, Code of Criminal
7 Procedure, is amended to read as follows:

8 Sec. 4. OFFENSES FOR WHICH INTERCEPTIONS MAY BE
9 AUTHORIZED. A judge of competent jurisdiction may issue an order
10 authorizing interception of wire, oral, or electronic
11 communications only if the prosecutor applying for the order shows
12 probable cause to believe that the interception will provide
13 evidence of the commission of:

14 (1) a felony under Section 19.02, 19.03, or 43.26,
15 Penal Code;

16 (2) a felony under:

17 (A) Chapter 481, Health and Safety Code, other
18 than felony possession of marihuana;

19 (B) Section 485.032, Health and Safety Code; or

20 (C) Chapter 483, Health and Safety Code;

21 (3) an offense under Section 20.03 or 20.04, Penal
22 Code;

23 (4) an offense under Chapter 20A, Penal Code;

24 (5) an offense under Chapter 34, Penal Code, if the
25 criminal activity giving rise to the proceeds involves the
26 commission of an offense under Title 5, Penal Code, or an offense
27 under federal law or the laws of another state containing elements

1 that are substantially similar to the elements of an offense under
2 Title 5;

3 (6) an offense under Section 38.11, Penal Code; [~~or~~]

4 (7) an offense under Section 43.04 or 43.05, Penal
5 Code; or

6 (8) an attempt, conspiracy, or solicitation to commit
7 an offense listed in this section.

8 SECTION 3. Article 59.01(2), Code of Criminal Procedure, as
9 amended by Chapters 427 (S.B. 529) and 1357 (S.B. 1451), Acts of the
10 83rd Legislature, Regular Session, 2013, is reenacted and amended
11 to read as follows:

12 (2) "Contraband" means property of any nature,
13 including real, personal, tangible, or intangible, that is:

14 (A) used in the commission of:

15 (i) any first or second degree felony under
16 the Penal Code;

17 (ii) any felony under Section 15.031(b),
18 20.05, 20.06, 21.11, 38.04, or Chapter 43, 20A, 29, 30, 31, 32, 33,
19 33A, or 35, Penal Code;

20 (iii) any felony under The Securities Act
21 (Article 581-1 et seq., Vernon's Texas Civil Statutes); or

22 (iv) any offense under Chapter 49, Penal
23 Code, that is punishable as a felony of the third degree or state
24 jail felony, if the defendant has been previously convicted three
25 times of an offense under that chapter;

26 (B) used or intended to be used in the commission
27 of:

- 1 (i) any felony under Chapter 481, Health
2 and Safety Code (Texas Controlled Substances Act);
- 3 (ii) any felony under Chapter 483, Health
4 and Safety Code;
- 5 (iii) a felony under Chapter 151, Finance
6 Code;
- 7 (iv) any felony under Chapter 34, Penal
8 Code;
- 9 (v) a Class A misdemeanor under Subchapter
10 B, Chapter 365, Health and Safety Code, if the defendant has been
11 previously convicted twice of an offense under that subchapter;
- 12 (vi) any felony under Chapter 32, Human
13 Resources Code, or Chapter 31, 32, 35A, or 37, Penal Code, that
14 involves the state Medicaid program;
- 15 (vii) a Class B misdemeanor under Chapter
16 522, Business & Commerce Code;
- 17 (viii) a Class A misdemeanor under Section
18 [306.051](#), Business & Commerce Code;
- 19 (ix) any offense under Section [42.10](#), Penal
20 Code;
- 21 (x) any offense under Section [46.06\(a\)\(1\)](#)
22 or [46.14](#), Penal Code;
- 23 (xi) any offense under Chapter 71, Penal
24 Code;
- 25 (xii) any offense under Section [20.05](#) or
26 [20.06](#), Penal Code; or
- 27 (xiii) [~~(xiv)~~] an offense under Section

1 326.002, Business & Commerce Code;

2 (C) the proceeds gained from the commission of a
3 felony listed in Paragraph (A) or (B) of this subdivision, a
4 misdemeanor listed in Paragraph (B)(vii), (ix), (x), or (xi) of
5 this subdivision, or a crime of violence;

6 (D) acquired with proceeds gained from the
7 commission of a felony listed in Paragraph (A) or (B) of this
8 subdivision, a misdemeanor listed in Paragraph (B)(vii), (ix), (x),
9 or (xi) of this subdivision, or a crime of violence;

10 (E) used to facilitate or intended to be used to
11 facilitate the commission of a felony under Section 15.031 or
12 43.25, Penal Code; or

13 (F) used to facilitate or intended to be used to
14 facilitate the commission of a felony under Section 20A.02 or
15 Chapter 43, Penal Code.

16 SECTION 4. Section 411.0043, Government Code, is amended to
17 read as follows:

18 Sec. 411.0043. TECHNOLOGY POLICY; REVIEW. (a) The
19 commission shall implement a policy requiring the department to use
20 appropriate technological solutions to improve the department's
21 ability to perform its functions. The policy must ensure that the
22 public is able to interact with the department on the Internet.

23 (b) The department shall periodically:

24 (1) review the department's existing information
25 technology system to determine whether:

26 (A) the system's security should be upgraded; and

27 (B) the system provides the department with the

1 best ability to monitor and investigate criminal activity on the
2 Internet; and

3 (2) make any necessary improvements to the
4 department's information technology system.

5 SECTION 5. Subchapter A, Chapter 411, Government Code, is
6 amended by adding Section 411.0163 to read as follows:

7 Sec. 411.0163. HIRING OFFICERS WITH PREVIOUS LAW
8 ENFORCEMENT EXPERIENCE. Notwithstanding any other provision of
9 law, the department may, at the time a commissioned officer is
10 hired, elect to credit up to four years of experience as a peace
11 officer in the state as years of service for the purpose of
12 calculating the officer's salary under Schedule C. All officers are
13 subject to the one-year probationary period under Section
14 411.007(g) notwithstanding the officer's rank or salary
15 classification.

16 SECTION 6. Subchapter A, Chapter 411, Government Code, is
17 amended by adding Sections 411.0208 and 411.0209 to read as
18 follows:

19 Sec. 411.0208. RESERVE OFFICER CORPS. (a) The commission
20 may provide for the establishment of a reserve officer corps
21 consisting of retired or previously commissioned officers of the
22 department.

23 (b) The commission shall establish qualifications and
24 standards of training for members of the reserve officer corps.

25 (c) The commission may limit the size of the reserve officer
26 corps.

27 (d) The director shall appoint the members of the reserve

1 officer corps. Members serve at the director's discretion.

2 (e) The director may call the reserve officer corps into
3 service at any time the director considers it necessary to have
4 additional officers to assist the department in conducting
5 background investigations, sex offender compliance checks, and
6 other duties as determined necessary by the director.

7 Sec. 411.0209. DEPARTMENT ASSISTANCE AT INTERNATIONAL
8 BORDER CHECKPOINTS. (a) To prevent the unlawful transfer of
9 contraband from this state to the United Mexican States and other
10 unlawful activity, the department shall investigate the
11 feasibility of providing to federal authorities at international
12 border checkpoints assistance in the interdiction of weapons, bulk
13 currency, stolen vehicles, and other contraband, and of fugitives,
14 being smuggled into the United Mexican States.

15 (b) The department may share with the federal government the
16 cost of staffing any international border checkpoints for the
17 purposes described by this section.

18 (c) The director shall adopt procedures as necessary to
19 administer this section.

20 SECTION 7. Subchapter D, Chapter 411, Government Code, is
21 amended by adding Section 411.054 to read as follows:

22 Sec. 411.054. CRIME STATISTICS REPORTING. (a) Each local
23 law enforcement agency shall:

24 (1) implement an incident-based reporting system that
25 meets the reporting requirements of the National Incident-Based
26 Reporting System of the Uniform Crime Reporting Program of the
27 Federal Bureau of Investigation; and

1 (2) use the system described by Subdivision (1) to
2 submit to the department information and statistics concerning
3 criminal offenses committed in the jurisdiction of the local law
4 enforcement agency.

5 (b) The department shall adopt rules to implement this
6 section, including rules prescribing:

7 (1) the form and manner of the submission of
8 information and statistics; and

9 (2) the frequency of reporting.

10 (c) Notwithstanding any other law, a local law enforcement
11 agency that is not in compliance with this section and that receives
12 grant funds from the department or the criminal justice division of
13 the governor's office may only use those funds to come into
14 compliance with this section.

15 (d) A local law enforcement agency is not required to comply
16 with this section before September 1, 2019.

17 (e) Subsection (d) and this subsection expire September 1,
18 2019.

19 SECTION 8. Section 772.007, Government Code, is reenacted
20 to read as follows:

21 Sec. 772.007. TEXAS ANTI-GANG GRANT PROGRAM. (a) The
22 criminal justice division established under Section 772.006 shall
23 administer a competitive grant program to support regional,
24 multidisciplinary approaches to combat gang violence through the
25 coordination of gang prevention, intervention, and suppression
26 activities.

27 (b) The grant program administered under this section must

1 be directed toward regions of this state that have demonstrably
2 high levels of gang violence.

3 (c) The criminal justice division shall award grants to
4 qualified applicants, as determined by the division, that
5 demonstrate a comprehensive approach that balances gang
6 prevention, intervention, and suppression activities to reduce
7 gang violence.

8 (d) The criminal justice division shall include in the
9 biennial report required by Section 772.006(a)(9) detailed
10 reporting of the results and performance of the grant program
11 administered under this section.

12 (e) The criminal justice division may use any revenue
13 available for purposes of this section.

14 SECTION 9. Chapter 362, Local Government Code, is amended
15 by adding Section 362.005 to read as follows:

16 Sec. 362.005. TEXAS TRANSNATIONAL INTELLIGENCE CENTER. (a)
17 The sheriff's department of a county with a population of at least
18 700,000 but not more than 800,000 that borders the Texas-Mexico
19 border and the police department of the municipality having the
20 largest population in that county shall jointly establish and
21 operate the Texas Transnational Intelligence Center as a central
22 repository of real-time information relating to criminal activity
23 in the counties along the Texas-Mexico border. The Texas Department
24 of Public Safety shall assist the county sheriff's department and
25 the municipal police department in the establishment and operation
26 of the center.

27 (b) Each law enforcement agency in a county located along

1 the Texas-Mexico border and the Texas Alcoholic Beverage Commission
2 and Parks and Wildlife Department shall report to the Texas
3 Transnational Intelligence Center information regarding criminal
4 activity in the law enforcement agency's jurisdiction, including
5 information on kidnappings, home invasions, and incidents of
6 impersonation of law enforcement officers.

7 (c) The information in the Texas Transnational Intelligence
8 Center shall be made available to each law enforcement agency in the
9 state and the Texas Alcoholic Beverage Commission and Parks and
10 Wildlife Department.

11 SECTION 10. Section 20.05, Penal Code, is amended to read as
12 follows:

13 Sec. 20.05. SMUGGLING OF PERSONS. (a) A person commits an
14 offense if the person, with the intent to obtain a pecuniary
15 benefit, knowingly:

16 (1) [~~intentionally~~] uses a motor vehicle, aircraft,
17 [~~or~~] watercraft, or other means of conveyance to transport an
18 individual with the intent to:

19 (A) [~~(1)~~] conceal the individual from a peace
20 officer or special investigator; or

21 (B) [~~(2)~~] flee from a person the actor knows is a
22 peace officer or special investigator attempting to lawfully arrest
23 or detain the actor; or

24 (2) encourages or induces an individual to enter or
25 remain in this country in violation of federal law by concealing,
26 harboring, or shielding that person from detection.

27 (b) An [~~Except as provided by Subsection (c), an~~] offense

1 under this section is ~~[a state jail felony.~~

2 ~~[(c) An offense under this section is]~~ a felony of the third
3 degree, except that ~~[if the actor commits]~~ the offense is:

4 (1) a felony of the second degree if:

5 (A) the actor commits the offense ~~[for pecuniary~~
6 ~~benefit, or~~

7 ~~[(2)]~~ in a manner that creates a substantial
8 likelihood that the smuggled ~~[transported]~~ individual will suffer
9 serious bodily injury or death; or

10 (B) the smuggled individual is a child younger
11 than 18 years of age at the time of the offense; or

12 (2) a felony of the first degree if:

13 (A) it is shown on the trial of the offense that,
14 as a direct result of the commission of the offense, the smuggled
15 individual became a victim of sexual assault, as defined by Section
16 22.011, or aggravated sexual assault, as defined by Section 22.021;
17 or

18 (B) the smuggled individual suffered serious
19 bodily injury or death.

20 (c) ~~[(d)]~~ It is an affirmative defense to prosecution,
21 other than a prosecution to which Subsections (b)(1)(A) or (b)(2)
22 apply, under this section that the actor is related to the
23 transported individual within the second degree of consanguinity
24 or, at the time of the offense, within the second degree of
25 affinity.

26 (d) ~~[(e)]~~ If conduct constituting an offense under this
27 section also constitutes an offense under another section of this

1 code, the actor may be prosecuted under either section or under both
2 sections.

3 SECTION 11. Chapter 20, Penal Code, is amended by adding
4 Section 20.06 to read as follows:

5 Sec. 20.06. CONTINUOUS SMUGGLING OF PERSONS. (a) A person
6 commits an offense if, during a period that is 30 or more days in
7 duration, the person engages two or more times in conduct that
8 constitutes an offense under Section 20.05.

9 (b) If a jury is the trier of fact, members of the jury are
10 not required to agree unanimously on which specific conduct engaged
11 in by the defendant constituted an offense under Section 20.05 or on
12 which exact date the defendant engaged in that conduct. The jury
13 must agree unanimously that the defendant, during a period that is
14 30 or more days in duration, engaged two or more times in conduct
15 that constitutes an offense under Section 20.05.

16 (c) If the victim of an offense under Subsection (a) is the
17 same victim as a victim of an offense under Section 20.05, a
18 defendant may not be convicted of the offense under Section 20.05 in
19 the same criminal action as the offense under Subsection (a),
20 unless the offense under Section 20.05:

21 (1) is charged in the alternative;

22 (2) occurred outside the period in which the offense
23 alleged under Subsection (a) was committed; or

24 (3) is considered by the trier of fact to be a lesser
25 included offense of the offense alleged under Subsection (a).

26 (d) A defendant may not be charged with more than one count
27 under Subsection (a) if all of the conduct that constitutes an

1 offense under Section 20.05 is alleged to have been committed
2 against the same victim.

3 (e) Except as provided by Subsections (f), (g), and (h), an
4 offense under this section is a felony of the second degree.

5 (f) An offense under this section is a felony of the first
6 degree if:

7 (1) the conduct constituting an offense under Section
8 20.05 is conducted in a manner that creates a substantial
9 likelihood that the smuggled individual will suffer serious bodily
10 injury or death; or

11 (2) the smuggled individual is a child younger than 18
12 years of age at the time of the offense.

13 (g) An offense under this section is a felony of the first
14 degree, punishable by imprisonment in the Texas Department of
15 Criminal Justice for life or for any term of not more than 99 years
16 or less than 25 years, if:

17 (1) it is shown on the trial of the offense that, as a
18 direct result of the commission of the offense, the smuggled
19 individual became a victim of sexual assault, as defined by Section
20 22.011, or aggravated sexual assault, as defined by Section 22.021;
21 or

22 (2) the smuggled individual suffered serious bodily
23 injury or death.

24 SECTION 12. Sections 71.02(a) and (b), Penal Code, are
25 amended to read as follows:

26 (a) A person commits an offense if, with the intent to
27 establish, maintain, or participate in a combination or in the

1 profits of a combination or as a member of a criminal street gang,
2 the person commits or conspires to commit one or more of the
3 following:

4 (1) murder, capital murder, arson, aggravated
5 robbery, robbery, burglary, theft, aggravated kidnapping,
6 kidnapping, aggravated assault, aggravated sexual assault, sexual
7 assault, continuous sexual abuse of young child or children,
8 solicitation of a minor, forgery, deadly conduct, assault
9 punishable as a Class A misdemeanor, burglary of a motor vehicle, or
10 unauthorized use of a motor vehicle;

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

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

15 (4) unlawful manufacture, transportation, repair, or
16 sale of firearms or prohibited weapons;

17 (5) unlawful manufacture, delivery, dispensation, or
18 distribution of a controlled substance or dangerous drug, or
19 unlawful possession of a controlled substance or dangerous drug
20 through forgery, fraud, misrepresentation, or deception;

21 (5-a) causing the unlawful delivery, dispensation, or
22 distribution of a controlled substance or dangerous drug in
23 violation of Subtitle B, Title 3, Occupations Code;

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

27 (7) any offense under Subchapter B, Chapter 43,

1 depicting or involving conduct by or directed toward a child
2 younger than 18 years of age;

3 (8) any felony offense under Chapter 32;

4 (9) any offense under Chapter 36;

5 (10) any offense under Chapter 34, 35, or 35A;

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

7 (12) any offense under Chapter 20A;

8 (13) any offense under Section 37.10;

9 (14) any offense under Section 38.06, 38.07, 38.09, or
10 38.11;

11 (15) any offense under Section 42.10;

12 (16) any offense under Section 46.06(a)(1) or 46.14;

13 (17) any offense under Section 20.05 or 20.06; or

14 (18) any offense classified as a felony under the Tax
15 Code.

16 (b) Except as provided in Subsections (c) and (d), an
17 offense under this section is one category higher than the most
18 serious offense listed in Subsection (a) that was committed, and if
19 the most serious offense is a Class A misdemeanor, the offense is a
20 state jail felony, except that the offense is a felony of the first
21 degree punishable by imprisonment in the Texas Department of
22 Criminal Justice for:

23 (1) life without parole, if the most serious offense
24 is an aggravated sexual assault and if at the time of that offense
25 the defendant is 18 years of age or older and:

26 (A) the victim of the offense is younger than six
27 years of age;

1 (B) the victim of the offense is younger than 14
2 years of age and the actor commits the offense in a manner described
3 by Section 22.021(a)(2)(A); or

4 (C) the victim of the offense is younger than 17
5 years of age and suffered serious bodily injury as a result of the
6 offense; ~~or~~

7 (2) life or for any term of not more than 99 years or
8 less than 30 years if the most serious offense is an offense under
9 Section 20.06 that is punishable under Subsection (h) of that
10 section; or

11 (3) life or for any term of not more than 99 years or
12 less than 15 years if the most serious offense is an offense
13 punishable as a felony of the first degree, other than an offense
14 described by Subdivision (1) or (2).

15 SECTION 13. The change in law made by this Act to Section 4,
16 Article 18.20, Code of Criminal Procedure, applies only to an
17 application for an interception order filed on or after the
18 effective date of this Act. An application for an interception
19 order filed before the effective date of this Act is governed by the
20 law in effect on the date the application was filed, and the former
21 law is continued in effect for that purpose.

22 SECTION 14. The Department of Public Safety shall adopt
23 rules required under Section 411.054(b), Government Code, as added
24 by this Act, not later than December 31, 2015.

25 SECTION 15. The changes in law made by this Act to Sections
26 20.05 and 71.02, Penal Code, apply only to an offense committed on
27 or after the effective date of this Act. An offense committed before

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

6 SECTION 16. To the extent of any conflict, this Act prevails
7 over another Act of the 84th Legislature, Regular Session, 2015,
8 relating to nonsubstantive additions to and corrections in enacted
9 codes.

10 SECTION 17. This Act takes effect September 1, 2015.