

By: Birdwell

S.B. No. 877

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. Section 411.007(g), Government Code, is amended  
6 to read as follows:

7 (g) Except as provided by Section 411.0164, a [A]  
8 noncommissioned employee inducted into the service of the  
9 department is on probation for the first one year of service, and an  
10 officer is on probation from the date the officer is inducted into  
11 the service of the department until the anniversary of the date the  
12 officer is commissioned. At any time during the probationary  
13 period, an officer or employee may be discharged if the director,  
14 with the advice and consent of the commission, finds the officer or  
15 employee to be unsuitable for the work.

16 SECTION 6. Subchapter A, Chapter 411, Government Code, is  
17 amended by adding Sections 411.0163 and 411.0164 to read as  
18 follows:

19 Sec. 411.0163. 50-HOUR WORK WEEK. Notwithstanding any  
20 other law, for a commissioned officer of the department assigned to  
21 a department region that includes counties along the Texas-Mexico  
22 border, 10 hours of work in a calendar day constitutes a day's work  
23 and 50 hours of work in a week constitutes a week's work.

24 Sec. 411.0164. HIRING OFFICERS WITH PREVIOUS LAW  
25 ENFORCEMENT EXPERIENCE. Notwithstanding any other provision of  
26 law, the department may start a commissioned officer in the  
27 position of Trooper II if the officer has at least four years of

1 experience as a peace officer in the state.

2 SECTION 7. Subchapter A, Chapter 411, Government Code, is  
3 amended by adding Sections 411.0208 and 411.0209 to read as  
4 follows:

5 Sec. 411.0208. RESERVE OFFICER CORPS. (a) The commission  
6 may provide for the establishment of a reserve officer corps  
7 consisting of retired or previously commissioned officers of the  
8 department.

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

11 (c) The commission may limit the size of the reserve officer  
12 corps.

13 (d) The director shall appoint the members of the reserve  
14 officer corps. Members serve at the director's discretion.

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

20 Sec. 411.0209. INTERNATIONAL BORDER CHECKPOINTS. (a) To  
21 prevent human trafficking and the unlawful transfer of firearms and  
22 bulk currency from this state to the United Mexican States, the  
23 department shall investigate the feasibility of assisting federal  
24 authorities in establishing checkpoints along the international  
25 border of this state for the purpose of conducting inspections of  
26 vehicles leaving this state and entering the United Mexican States.

27 If the department determines that assistance to be feasible, the

1 department shall cooperate with appropriate federal agencies to set  
2 up the checkpoints.

3 (b) A checkpoint described by Subsection (a) must be:

4 (1) located at or within 250 yards of a federally  
5 designated crossing facility located at or near the actual boundary  
6 between this state and the United Mexican States;

7 (2) located on a public highway or street leading  
8 directly to an international border crossing; and

9 (3) designed to stop only traffic leaving this state  
10 and entering the United Mexican States.

11 (c) A peace officer employed by the department may not  
12 conduct an inspection of a vehicle under this section unless the  
13 officer has reasonable suspicion or probable cause to believe that  
14 a passenger in the vehicle has violated Chapter 20A or Section 34.02  
15 or 46.14, Penal Code, or 18 U.S.C. Section 554, 922, 1589, 1590,  
16 1591, 1592, or 1956 or 31 U.S.C. Section 5332.

17 (d) The department and local law enforcement authorities  
18 may share with the federal government the cost of staffing any  
19 checkpoints established as described by this section.

20 (e) The department shall establish procedures governing the  
21 encounter between the driver and the peace officers operating the  
22 checkpoint that ensure that any intrusion on the driver is  
23 minimized and that the inquiries made are reasonably related to the  
24 purpose of the checkpoint.

25 (f) If necessary to implement this section, the attorney  
26 general, subject to approval by the governor, shall enter into an  
27 agreement under 8 U.S.C. Section 1357(g) with the United States

1 Office of the Attorney General or other appropriate federal agency.

2 (g) An agreement entered into under Subsection (f) must be  
3 signed on behalf of this state by the attorney general of this state  
4 and the governor of this state and as otherwise required by the  
5 appropriate federal agency.

6 (h) A law enforcement agency may enter into an agreement  
7 with a corporation or other private entity to provide goods or  
8 services for the establishment and operation of a checkpoint or the  
9 performance of inspections under this section.

10 (i) The director shall adopt rules as necessary to  
11 administer this section.

12 SECTION 8. Subchapter D, Chapter 411, Government Code, is  
13 amended by adding Section 411.054 to read as follows:

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

16 (1) implement an incident-based reporting system that  
17 meets the reporting requirements of the National Incident-Based  
18 Reporting System of the Uniform Crime Reporting Program of the  
19 Federal Bureau of Investigation; and

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

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

26 (1) the form and manner of the submission of  
27 information and statistics; and

1           (2) the frequency of reporting.

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

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

9           Sec. 362.005. SOUTH TEXAS BORDER CRIME INFORMATION CENTER.

10 (a) The sheriff's department of the county having the largest  
11 population that borders the Texas-Mexico border and the police  
12 department of the municipality having the largest population in  
13 that county shall jointly establish and operate the South Texas  
14 Border Crime Information Center as a central repository of  
15 information relating to criminal activity in the counties along the  
16 Texas-Mexico border. The Texas Department of Public Safety shall  
17 assist the county sheriff's department and the municipal police  
18 department in the establishment and operation of the center.

19           (b) Each law enforcement agency in a county located along  
20 the Texas-Mexico border shall report to the South Texas Border  
21 Crime Information Center information regarding criminal activity  
22 in the law enforcement agency's jurisdiction, including  
23 information on kidnappings, home invasions, and incidents of  
24 impersonation of law enforcement officers.

25           (c) The information in the South Texas Border Crime  
26 Information Center shall be made available to each law enforcement  
27 agency in the state.

1 SECTION 10. Section 20.05, Penal Code, is amended to read as  
2 follows:

3 Sec. 20.05. SMUGGLING OF PERSONS. (a) A person commits an  
4 offense if the person recklessly [~~intentionally uses a motor~~  
5 ~~vehicle, aircraft, or watercraft to transport an individual with~~  
6 ~~the intent to~~]:

7 (1) conceals, harbors, or shields from detection a  
8 person who is present in this country in violation of federal law  
9 [~~conceal the individual from a peace officer or special~~  
10 ~~investigator~~]; or

11 (2) encourages or induces a person to enter or remain  
12 in this country in violation of federal law [~~flee from a person the~~  
13 ~~actor knows is a peace officer or special investigator attempting~~  
14 ~~to lawfully arrest or detain the actor~~].

15 (b) An [~~Except as provided by Subsection (c), an~~] offense  
16 under this section is a state jail felony, except that the[-

17 [~~(c) An~~] offense [~~under this section~~] is:

18 (1) a felony of the third degree if the actor commits  
19 the offense [+

20 [~~(1)~~] for pecuniary benefit; [~~or~~]

21 (2) a felony of the second degree if:

22 (A) the actor commits the offense in a manner  
23 that creates a substantial likelihood that the smuggled  
24 [~~transported~~] individual will suffer serious bodily injury or  
25 death; or

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

1           (3) a felony of the first degree if:

2                   (A) it is shown on the trial of the offense that,  
3 as a direct result of the commission of the offense, the smuggled  
4 individual became a victim of sexual assault, as defined by Section  
5 22.011, or aggravated sexual assault, as defined by Section 22.021;  
6 or

7                   (B) the smuggled individual suffered serious  
8 bodily injury or death.

9           ~~(c) [(d) It is an affirmative defense to prosecution under~~  
10 ~~this section that the actor is related to the transported~~  
11 ~~individual within the second degree of consanguinity or, at the~~  
12 ~~time of the offense, within the second degree of affinity.~~

13           ~~[(e)]~~ If conduct constituting an offense under this section  
14 also constitutes an offense under another section of this code, the  
15 actor may be prosecuted under either section or under both  
16 sections.

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

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

23           (b) If a jury is the trier of fact, members of the jury are  
24 not required to agree unanimously on which specific conduct engaged  
25 in by the defendant constituted an offense under Section 20.05 or on  
26 which exact date the defendant engaged in that conduct. The jury  
27 must agree unanimously that the defendant, during a period that is

1 30 or more days in duration, engaged two or more times in conduct  
2 that constitutes an offense under Section 20.05.

3 (c) If the victim of an offense under Subsection (a) is the  
4 same victim as a victim of an offense under Section 20.05, a  
5 defendant may not be convicted of the offense under Section 20.05 in  
6 the same criminal action as the offense under Subsection (a),  
7 unless the offense under Section 20.05:

8 (1) is charged in the alternative;

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

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

13 (d) A defendant may not be charged with more than one count  
14 under Subsection (a) if all of the conduct that constitutes an  
15 offense under Section 20.05 is alleged to have been committed  
16 against the same victim.

17 (e) Except as provided by Subsections (f) and (g), an  
18 offense under this section is a felony of the third degree.

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

21 (1) the conduct constituting an offense under Section  
22 20.05 is conducted in a manner that creates a substantial  
23 likelihood that the smuggled individual will suffer serious bodily  
24 injury or death; or

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

27 (g) An offense under this section is a felony of the first



1 degree, punishable by imprisonment in the Texas Department of  
2 Criminal Justice for life or for any term of not more than 99 years  
3 or less than 25 years, if:

4 (1) it is shown on the trial of the offense that, as a  
5 direct result of the commission of the offense, the smuggled  
6 individual became a victim of sexual assault, as defined by Section  
7 22.011, or aggravated sexual assault, as defined by Section 22.021;  
8 or

9 (2) the smuggled individual suffered serious bodily  
10 injury or death.

11 SECTION 12. Section 71.02(a), Penal Code, is amended to  
12 read as follows:

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

18 (1) murder, capital murder, arson, aggravated  
19 robbery, robbery, burglary, theft, aggravated kidnapping,  
20 kidnapping, aggravated assault, aggravated sexual assault, sexual  
21 assault, continuous sexual abuse of young child or children,  
22 solicitation of a minor, forgery, deadly conduct, assault  
23 punishable as a Class A misdemeanor, burglary of a motor vehicle, or  
24 unauthorized use of a motor vehicle;

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

27 (3) promotion of prostitution, aggravated promotion

1 of prostitution, or compelling prostitution;

2 (4) unlawful manufacture, transportation, repair, or  
3 sale of firearms or prohibited weapons;

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

8 (5-a) causing the unlawful delivery, dispensation, or  
9 distribution of a controlled substance or dangerous drug in  
10 violation of Subtitle B, Title 3, Occupations Code;

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

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

17 (8) any felony offense under Chapter 32;

18 (9) any offense under Chapter 36;

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

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

21 (12) any offense under Chapter 20A;

22 (13) any offense under Section 37.10;

23 (14) any offense under Section 38.06, 38.07, 38.09, or  
24 38.11;

25 (15) any offense under Section 42.10;

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

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

1           (18) any offense classified as a felony under the Tax  
2 Code.

3           SECTION 13. The change in law made by this Act to Section 4,  
4 Article 18.20, Code of Criminal Procedure, applies only to an  
5 application for an interception order filed on or after the  
6 effective date of this Act. An application for an interception  
7 order filed before the effective date of this Act is governed by the  
8 law in effect on the date the application was filed, and the former  
9 law is continued in effect for that purpose.

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

13          (b) A local law enforcement agency is not required to comply  
14 with Section 411.054, Government Code, as added by this Act, before  
15 September 1, 2019.

16          (c) The Department of Public Safety or the criminal justice  
17 division of the governor's office may not deny a grant to a local  
18 law enforcement agency on the grounds that the local law  
19 enforcement agency is not in compliance with Section 411.054,  
20 Government Code, as added by this Act, before September 1, 2019.

21          SECTION 15. The changes in law made by this Act to Sections  
22 20.05 and 71.02, Penal Code, apply only to an offense committed on  
23 or after the effective date of this Act. An offense committed before  
24 the effective date of this Act is governed by the law in effect on  
25 the date the offense was committed, and the former law is continued  
26 in effect for that purpose. For purposes of this section, an offense  
27 was committed before the effective date of this Act if any element

1 of the offense occurred before that date.

2           SECTION 16. To the extent of any conflict, this Act prevails  
3 over another Act of the 84th Legislature, Regular Session, 2015,  
4 relating to nonsubstantive additions to and corrections in enacted  
5 codes.

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