

BILL ANALYSIS

H.B. 731
By: Bohac
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that a member of a criminal street gang who makes certain threats against a person with the intent to influence that person's behavior should be punished in order to deter such intimidating acts. H.B. 731 seeks to provide such deterrence by creating the offense of intimidation by a member of a criminal street gang.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 731 amends the Penal Code to create the third degree felony offense of intimidation by a gang member for a person who is a member of a criminal street gang and who, with the intent to cause another person to perform or to omit the performance of any act, communicates to the other person, directly or indirectly, by any means, a threat to inflict bodily injury on the person threatened or any other person, damage or destroy property, subject any person to physical confinement or restraint, or commit an offense punishable as a Class A misdemeanor or any higher category of offense.

EFFECTIVE DATE

September 1, 2017.