

By: Leach

H.B. No. 3982

A BILL TO BE ENTITLED

AN ACT

relating to creating the criminal offenses of providing material support or resources to a foreign terrorist organization and engaging in terrorist activities.

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

SECTION 1. The heading to Title 11, Penal Code, is amended to read as follows:

TITLE 11. ORGANIZED CRIME AND TERRORISM

SECTION 2. Title 11, Penal Code, is amended by adding Chapter 72 to read as follows:

CHAPTER 72. TERRORISM

Sec. 72.01. DEFINITIONS. In this chapter:

(1) "Foreign terrorist organization" means an organization designated as a foreign terrorist organization under 8 U.S.C. Section 1189.

(2) "Material support or resources" means any property, service, or personnel.

(3) "Property" means:

(A) real property;

(B) tangible or intangible personal property, including anything severed from land; or

(C) a document, including money, that represents or embodies anything of value.

(4) "Service" includes:

1 (A) labor and professional service;

2 (B) telecommunication, public utility, or
3 transportation service;

4 (C) lodging, restaurant service, and
5 entertainment; and

6 (D) the supply of a motor vehicle or other
7 property for use.

8 Sec. 72.02. PROVIDING MATERIAL SUPPORT OR RESOURCES TO
9 FOREIGN TERRORIST ORGANIZATION. (a) A person commits an offense if
10 the person knowingly provides material support or resources to a
11 foreign terrorist organization.

12 (b) An offense under this section is a felony of the first
13 degree.

14 Sec. 72.03. ENGAGING IN TERRORIST ACTIVITIES. (a) A person
15 commits an offense if the person, with intent to support or
16 participate in the activities of a foreign terrorist organization,
17 commits or conspires to commit one or more of the following:

18 (1) kidnapping;

19 (2) robbery;

20 (3) arson;

21 (4) trafficking of persons;

22 (5) any felony offense under Chapter 31 or 32;

23 (6) money laundering;

24 (7) any unlawful manufacture, delivery, dispensation,
25 or distribution of a controlled substance or dangerous drug that is
26 punishable as a felony;

27 (8) tampering with a witness;

1 (9) tampering with or fabricating physical evidence;

2 (10) tampering with a governmental record; or

3 (11) hindering apprehension or prosecution.

4 (b) Except as provided by Subsections (c) and (d), an
5 offense under this section is one category higher than the most
6 serious offense listed in Subsection (a) that was committed.

7 (c) If the most serious offense listed in Subsection (a)
8 that was committed is a felony of the first degree, an offense under
9 this section is a felony of the first degree punishable by
10 imprisonment in the Texas Department of Criminal Justice for life
11 or for any term of not more than 99 years or less than 15 years.

12 (d) If the most serious offense listed in Subsection (a)
13 that was committed is described by Subsection (a)(10) or (11), an
14 offense under this section is a felony of the third degree.

15 Sec. 72.04. APPLICABILITY OF OTHER LAW. If conduct that
16 constitutes an offense under this chapter also constitutes an
17 offense under other law, the actor may be prosecuted under this
18 section, the other law, or both.

19 SECTION 3. This Act takes effect September 1, 2019.