

1-1 By: Hughes S.B. No. 315
 1-2 (In the Senate - Filed January 7, 2019; February 7, 2019,
 1-3 read first time and referred to Committee on Criminal Justice;
 1-4 March 21, 2019, reported favorably by the following vote: Yeas 6,
 1-5 Nays 0; March 21, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9			X	
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the prosecution of organized criminal activity
 1-18 involving the interception, use, or disclosure of certain
 1-19 communications.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 71.02(a), Penal Code, is amended to read
 1-22 as follows:

1-23 (a) A person commits an offense if, with the intent to
 1-24 establish, maintain, or participate in a combination or in the
 1-25 profits of a combination or as a member of a criminal street gang,
 1-26 the person commits or conspires to commit one or more of the
 1-27 following:

1-28 (1) murder, capital murder, arson, aggravated
 1-29 robbery, robbery, burglary, theft, aggravated kidnapping,
 1-30 kidnapping, aggravated assault, aggravated sexual assault, sexual
 1-31 assault, continuous sexual abuse of young child or children,
 1-32 solicitation of a minor, forgery, deadly conduct, assault
 1-33 punishable as a Class A misdemeanor, burglary of a motor vehicle, or
 1-34 unauthorized use of a motor vehicle;

1-35 (2) any gambling offense punishable as a Class A
 1-36 misdemeanor;

1-37 (3) promotion of prostitution, aggravated promotion
 1-38 of prostitution, or compelling prostitution;

1-39 (4) unlawful manufacture, transportation, repair, or
 1-40 sale of firearms or prohibited weapons;

1-41 (5) unlawful manufacture, delivery, dispensation, or
 1-42 distribution of a controlled substance or dangerous drug, or
 1-43 unlawful possession of a controlled substance or dangerous drug
 1-44 through forgery, fraud, misrepresentation, or deception;

1-45 (5-a) causing the unlawful delivery, dispensation, or
 1-46 distribution of a controlled substance or dangerous drug in
 1-47 violation of Subtitle B, Title 3, Occupations Code;

1-48 (6) any unlawful wholesale promotion or possession of
 1-49 any obscene material or obscene device with the intent to wholesale
 1-50 promote the same;

1-51 (7) any offense under Subchapter B, Chapter 43,
 1-52 depicting or involving conduct by or directed toward a child
 1-53 younger than 18 years of age;

1-54 (8) any felony offense under Chapter 32;

1-55 (9) any offense under Chapter 36;

1-56 (10) any offense under Chapter 34, 35, or 35A;

1-57 (11) any offense under Section 37.11(a);

1-58 (12) any offense under Chapter 20A;

1-59 (13) any offense under Section 37.10;

1-60 (14) any offense under Section 38.06, 38.07, 38.09, or
 1-61 38.11;

- 2-1 (15) any offense under Section 42.10;
- 2-2 (16) any offense under Section 46.06(a)(1) or 46.14;
- 2-3 (17) any offense under Section 20.05 or 20.06; [~~or~~]
- 2-4 (18) any offense under Section 16.02; or
- 2-5 (19) any offense classified as a felony under the Tax
- 2-6 Code.

2-7 SECTION 2. The change in law made by this Act applies only
 2-8 to an offense committed on or after the effective date of this Act.
 2-9 An offense committed before the effective date of this Act is
 2-10 governed by the law in effect on the date the offense was committed,
 2-11 and the former law is continued in effect for that purpose. For
 2-12 purposes of this section, an offense was committed before the
 2-13 effective date of this Act if any element of the offense occurred
 2-14 before that date.

2-15 SECTION 3. This Act takes effect September 1, 2019.

2-16 * * * * *