

By: Shaheen

H.B. No. 2419

A BILL TO BE ENTITLED

AN ACT

relating to increasing the criminal penalty for certain offenses committed during a riot.

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

SECTION 1. Subchapter D, Chapter 12, Penal Code, is amended by adding Section 12.501 to read as follows:

Sec. 12.501. PENALTY IF OFFENSE COMMITTED DURING A RIOT.

(a) In this section, "riot" has the meaning assigned by Section 42.02.

(b) Subject to Subsections (d) and (e), the punishment for an offense listed under Subsection (c) is increased to the punishment prescribed for the next higher category of offense if it is shown on the trial of the offense that at the time of the offense the actor was participating in a riot.

(c) The increase in punishment authorized by this section applies only to an offense under:

(1) Section 22.01;

(2) Section 28.02;

(3) Section 28.03;

(4) Section 29.02;

(5) Section 30.02;

(6) Section 30.03;

(7) Section 30.04;

(8) Section 30.05; and

1 (9) Section 31.03.

2 (d) If an offense listed under Subsection (c) is punishable
3 as a Class A misdemeanor, the minimum term of confinement for the
4 offense is increased to 180 days.

5 (e) If an offense listed under Subsection (c) is punishable
6 as a felony of the first degree, the punishment of that offense may
7 not be increased under this section.

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

16 SECTION 3. This Act takes effect September 1, 2021.