CHAPTER 435
H.B. No. 2187

AN ACT
relating to the prosecution and punishment of offenses involving coercing, inducing, or soliciting membership in a criminal street gang.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The heading to Section 71.022, Penal Code, is amended to read as follows:
Sec. 71.022. COERCING, INDUCING, OR SOLICITING MEMBERSHIP IN A CRIMINAL STREET GANG.

SECTION 2. Section 71.022, Penal Code, is amended by adding Subsections (a-i) and (d) to read as follows:

(a-1) A person commits an offense if, with intent to coerce, induce, or solicit a child to actively participate in the activities of a criminal street gang, the person:

(1) threatens the child or a member of the child's family with imminent bodily injury; or

(2) causes bodily injury to the child or a member of the child's family.

(d) In this section:

(1) "Child" means an individual younger than 17 years of age.

(2) "Family" has the meaning assigned by Section 71.003, Family Code.

SECTION 3. Section 22.015, Penal Code, is repealed.

SECTION 4. (a) The change in law made by this Act in amending Section 71.022, Penal Code, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

(b) The repeal by this Act of Section 22.015, Penal Code, does not apply to an offense committed under that section before the effective date of the repeal. An offense committed before the effective date of the repeal is covered by that section as it existed on the date on which the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense is committed before the effective date of the repeal if any element of the offense occurs before that date.

SECTION 5. This Act takes effect September 1, 2009.

Passed by the House on April 24, 2009: Yeas 139, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 2187 on May 23, 2009: Yeas 140, Nays 1, 1 present, not voting; passed by the Senate, with amendments, on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.
Effective September 1, 2009.

CHAPTER 436
H.B. No. 2191

AN ACT
relating to prohibiting contact between an employee of a facility that serves the elderly or disabled persons, whose criminal history has not been verified, and a patient or resident of the facility.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 250.003, Health and Safety Code, is amended by adding Subsection (a-1) to read as follows: