

BILL ANALYSIS

Senate Research Center
76R4189 GWK-F

H.B. 861
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Criminal Justice
5/12/1999
Engrossed

DIGEST

Currently, there are over 84,000 gang members in Texas and their ranks are growing. Offenses commonly committed by gang members include assaults, burglary, theft, drug trafficking, and car theft. Additionally, young gang members commit serious and violent offenses such as murder and drive-by shootings at a rate several times higher than youths not involved in a gang. H.B. 861 creates specific offenses for coercing, inducing, or soliciting a child to actively participate in criminal street gang activities, to curb gang recruitment.

PURPOSE

As proposed, H.B. 861 creates offenses for coercing, inducing, or soliciting a child to actively participate in the activities, of a criminal street gang.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 22, Penal Code, by adding Section 22.015, as follows:

Sec. 22.015. COERCING, SOLICITING, OR INDUCING GANG MEMBERSHIP. Defines “child” and “criminal street gang.” Creates a state jail felony offense if a person threatens a child with imminent bodily injury and a felony of the third degree if a person causes bodily injury to a child, in the process of getting a child to actively participate in a street gang’s criminal activities.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.