

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 11  
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Infrastructure Development and Security  
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Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, the capital murder statute does not encompass a scenario where a terrorist may murder a person with the specific intention of intimidating the public or paralyzing or influencing the workings of the government. C.S.H.B. 11 incorporates murder in the course of a terroristic threat to the list of offenses constituting capital murder. The bill also upgrades the category of offense for certain false reports and hoaxes.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 19.03(a), Penal Code, to provide that a person commits an offense if the person commits murder as defined under Section 19.02(b)(1) and the person intentionally commits the murder in the course of committing or attempting to commit terroristic threat under Section 22.07(a)(1), (3), (4), (5), or (6).

SECTION 2. Amends Section 22.07, Penal Code, as follows:

- (a) Provides that a person commits an offense if the person threatens to commit any offense involving violence to any person or property with intent to place the public or a substantial group of the public in fear of serious bodily injury, or influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state.

SECTION 3. Amends Section 42.06(b), Penal Code, to provide that an offense under this section is a state jail felony, rather than a Class A misdemeanor, unless the false report is of an emergency involving a public primary or secondary school, public communications, public transportation, public water, gas, or power supply or other public service, in which event the offense is a felony of the third degree, rather than a state jail felony.

SECTION 4. Amends Section 46.01, Penal Code, by adding Subdivision (17), to define "hoax chemical dispensing device."

SECTION 5. Amends Section 46.08, Penal Code, as follows:

- Sec. 46.08. New heading: HOAX BOMBS OR CHEMICAL DISPENSING DEVICES.
- (a) Provides that a person commits an offense if the person knowingly manufactures, sells, purchases, transports, or possesses a hoax bomb or a hoax chemical dispensing device with intent to use the hoax bomb or device for certain purposes.

- (b) Provides that an offense under this section is a state jail felony, rather than a Class A misdemeanor.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: September 1, 2003.