

BILL ANALYSIS

Senate Research Center
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H.B. 2961
By: Cook et al. (King)
State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In Texas capital murder cases, a person may be convicted under the law of parties for the criminal conduct of another. State law provides that a person can be found guilty under the law of parties which states that "if in the attempt to carry out a conspiracy to commit one felony, another felony is committed by one of the conspirators, all conspirators are guilty of the felony actually committed, though having no intent to commit it, if the offense was committed in furtherance of the unlawful purpose and was one that should have been anticipated as a result of the carrying out of the conspiracy." However, current law does not include a definition of "conspiracy" for use in determining criminal responsibility in such cases. H.B. 2961 seeks to address this issue by defining "conspiracy" for purposes of this particular application of the law of parties.

H.B. 2961 amends current law relating to criminal responsibility for the conduct of a coconspirator.

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 7.02(b), Penal Code, to provide that in this subsection, "conspiracy" means an agreement between two or more persons to commit a felony.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.