

BILL ANALYSIS

Senate Research Center
82R9855 AJA-F

H.B. 1622
By: Menendez (Wentworth)
Criminal Justice
5/19/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1622 amends current law relating to suits to enjoin gang activity that constitutes a public nuisance.

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 125.061(3), Civil Practice and Remedies Code, to redefine "gang activity" to mean certain types of conduct, including a graffiti offense in violation of Section 28.08 (Graffiti), Penal Code, rather than a graffiti offense in violation of Section 28.08 that causes a pecuniary loss of \$500 or more, or occurs at a school, an institution of higher education, a place of worship or human cemetery, a public monument, or a community center that provides medical, social, or educational programs.

SECTION 2. Amends Section 125.067(c), Civil Practice and Remedies Code, to entitle a person, if an appeal is not taken by the person temporarily enjoined under this subchapter, to a trial on the merits not later than the 90th day after the date of the temporary injunctive order, unless otherwise ordered by the court.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2011.