

AN ACT

relating to public nuisance actions involving criminal street gangs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 125.061(2), Civil Practice and Remedies Code, is amended to read as follows:

(2) "Continuously or regularly" means at least five times in a period of not more than 12 [~~six~~] months.

SECTION 2. For purposes of determining whether gang activities are continuous or regular, the change in law made by this Act applies only to a gang activity that occurs on or after the effective date of this Act, or in the six-month period immediately preceding the effective date of this Act. A gang activity that occurred more than six months before the effective date of this Act is covered by the law as it existed when the gang activity occurred, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2005.

Rand Duthart

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 68 was passed by the House on March 22, 2005, by a non-record vote.

Robert Hanes

Chief Clerk of the House

I certify that H.B. No. 68 was passed by the Senate on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Daisy Saul

Secretary of the Senate

APPROVED:

17 JUNE 05

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11:20 AM O'CLOCK

Roger Williams

JUN 17 2005

Secretary of State