

By: Flores, West, Zaffirini

S.B. No. 1248

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution of the offense of smuggling of persons.

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

4 SECTION 1. Section 20.01, Penal Code, is amended by adding
5 Subdivision (9) to read as follows:

6 (9) "Cultural resource site or area," "natural area,"
7 "open space area," and "park" have the meanings assigned by Section
8 24.001, Parks and Wildlife Code.

9 SECTION 2. Section 20.05(a), Penal Code, is amended to read
10 as follows:

11 (a) A person commits an offense if the person knowingly:

12 (1) uses a motor vehicle, aircraft, watercraft, or
13 other means of conveyance to transport an individual with the
14 intent to:

15 (A) conceal the individual from a peace officer
16 or special investigator; or

17 (B) flee from a person the actor knows is a peace
18 officer or special investigator attempting to lawfully arrest or
19 detain the actor;

20 (2) encourages or induces a person to enter or remain
21 in this country in violation of federal law by concealing,
22 harboring, or shielding that person from detection; or

23 (3) assists, guides, or directs two or more
24 individuals to enter or remain on a cultural resource site or area,

1 natural area, open space area, park, or agricultural land without
2 the effective consent of the owner.

3 SECTION 3. The change in law made by this Act applies only
4 to an offense committed on or after the effective date of this Act.
5 An offense committed before the effective date of this Act is
6 governed by the law in effect on the date the offense was committed,
7 and the former law is continued in effect for that purpose. For
8 purposes of this section, an offense was committed before the
9 effective date of this Act if any element of the offense occurred
10 before that date.

11 SECTION 4. This Act takes effect September 1, 2023.