

By: Flores, et al.
(Lozano)

S.B. No. 1248

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

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

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

(3) assists, guides, or directs two or more 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.