

By: Gutierrez

H.B. No. 3544

A BILL TO BE ENTITLED

1 AN ACT

2 relating to establishing a pilot program to prevent certain
3 juveniles from crossing the border between this state and Mexico.

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

5 SECTION 1. "Peace Officer" has the meaning assigned by
6 Article 2.12, Sec. (1), (2), (3), (4), and (6) and Article 2.122,
7 Code of Criminal Procedure.

8 "Juvenile" means an individual who is under 18 years of age.

9 SECTION 2. PILOT PROGRAM ESTABLISHED. (a) A pilot program
10 shall be established in the county of Hidalgo and the county of
11 Cameron delegating the duty of a peace officer to prevent certain
12 juveniles from crossing the border between this state and Mexico.

13 (b) A peace officer who observes a person younger than 18
14 years of age attempting to cross the border between this state and
15 Mexico shall prevent the person from crossing the border unless the
16 person:

17 (1) is accompanied by a parent or guardian; or

18 (2) has:

19 (A) written consent from the person's parent or
20 guardian to cross the border; or

21 (B) a current United States passport issued to
22 the person.

23 (b) A peace officer who prevents a person from crossing the
24 border as required by this article may not detain the person unless

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1 the officer has reasonable suspicion or probable cause to believe
2 that the person has engaged in conduct prohibited by law.