

By: Williams, Davis

S.B. No. 2195

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of and penalties for certain offenses that  
3 take place at or involve an attempt to cross an international  
4 border.

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

6 SECTION 1. Subchapter D, Chapter 12, Penal Code, is amended  
7 by adding Section 12.50 to read as follows:

8 Sec. 12.50. PENALTIES FOR CERTAIN OFFENSES COMMITTED ON  
9 INTERNATIONAL BRIDGE. An offense under Section 31.07, 46.02, or  
10 46.05 is a felony of the second degree if the person who committed  
11 the offense was, at the time the offense was committed, traveling on  
12 an international bridge toward Mexico.

13 SECTION 2. Section 38.05, Penal Code, is amended by  
14 amending Subsection (c) and adding Subsection (e) to read as  
15 follows:

16 (c) Except as provided by Subsections [~~Subsection~~] (d) and  
17 (e), an offense under this section is a Class A misdemeanor.

18 (e) An offense under this section is a felony of the second  
19 degree if the person who harbored or concealed another, provided  
20 another with a means of avoiding arrest or effecting an escape, or  
21 warned another of discovery or apprehension had the intent to  
22 transport the other person across an international boundary.

23 SECTION 3. Chapter 46, Penal Code, is amended by adding  
24 Section 46.14 to read as follows:

1       Sec. 46.14. UNLAWFUL TRANSPORTATION OF CURRENCY. (a) A  
2 person commits an offense if the person, with the intent to evade a  
3 currency reporting requirement under 31 U.S.C. Section 5316 while  
4 traveling on an international bridge toward Mexico, knowingly  
5 conceals more than \$10,000 in currency or other monetary  
6 instruments on the person or in any conveyance, article of luggage,  
7 merchandise, or other container.

8       (b) An offense under this section is a felony of the second  
9 degree.

10       SECTION 4. The change in law made by this Act applies only  
11 to an offense committed on or after September 1, 2009. An offense  
12 committed before September 1, 2009, is governed by the law in effect  
13 when the offense was committed, and the former law is continued in  
14 effect for that purpose. For purposes of this section, an offense  
15 was committed before September 1, 2009, if any element of the  
16 offense occurred before that date.

17       SECTION 5. This Act takes effect September 1, 2009.