

**House Bill 2734**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter F, Chapter 508, Government Code, is amended by adding Section 508.192 to read as follows:

Sec. 508.192. REENTRY INTO THE UNITED STATES PROHIBITED. (a) In this section, "illegal criminal alien" has the meaning assigned by Section 493.015.

(b) A parole panel shall require as a condition of parole or mandatory supervision that an illegal criminal alien released to the custody of United States Immigration and Customs Enforcement:

(1) regardless of whether a final order of deportation is issued with reference to the illegal criminal alien, leave the United States as soon as possible after release; and

(2) not unlawfully return to or unlawfully reenter the United States in violation of the Immigration Reform and Control Act of 1986 (8 U.S.C. Section 1101 et seq.).

SECTION 2. Section 508.281, Government Code, is amended by adding Subsection (d) to read as follows:

(d) If a parole panel or designated agent of the board determines that a releasee has violated a condition of release required under Section 508.192 and confirms the violation with a peace officer or other law enforcement officer of this state who is authorized under federal law to verify a person's immigration status or, in accordance with 8 U.S.C. Section 1373(c), with a federal law enforcement officer, the determination is considered to be a sufficient hearing to revoke the parole or mandatory supervision without further hearing or determination, except that the parole panel or designated agent shall conduct a hearing to consider mitigating circumstances, if requested by the releasee.

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION 2. Same as House version.

CONFERENCE

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SECTION 3. Section 508.192, Government Code, as added by this Act, applies only to a person who is released on parole or to mandatory supervision on or after the effective date of this Act.

SECTION 4. This Act takes effect September 1, 2011.

No equivalent provision.

SENATE VERSION (IE)

SECTION 3. Same as House version.

SECTION 4. Same as House version.

SECTION \_\_. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.252 to read as follows:

Art. 2.252. VERIFICATION OF IMMIGRATION STATUS OF PERSON CHARGED WITH COMMITTING OFFENSE.

(a) A local law enforcement agency that has custody of a person who has been arrested and transported to a place of detention shall verify the immigration status of the person by use of the federal Secure Communities program operated by United States Immigration and Customs Enforcement or a successor program.

(b) A local law enforcement agency is not required to conduct an immigration status verification under Subsection (a) of a person who is transferred to the custody of the agency by another law enforcement agency if the transferring agency, before transferring custody of the person, conducted an immigration status verification under Subsection (a). [FA1]

CONFERENCE