

AN ACT

relating to creating the criminal offense of misrepresenting a child as a family member at a port of entry.

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

SECTION 1. Chapter 37, Penal Code, is amended by adding Section 37.082 to read as follows:

Sec. 37.082. MISREPRESENTING CHILD AS FAMILY MEMBER AT PORT OF ENTRY. (a) In this section:

(1) "Child" means a person younger than 18 years of age.

(2) "Family member" means a person who is related to another person by consanguinity or affinity.

(3) "Port of entry" means a place designated by executive order of the president of the United States, by order of the United States secretary of the treasury, or by act of the United States Congress at which a customs officer is authorized to enforce customs laws.

(b) A person commits an offense if the person, with intent to commit an offense under Section 20A.02, knowingly misrepresents a child as a family member of the person to a peace officer or federal special investigator at a port of entry.

(c) An offense under this section is a Class B misdemeanor.

(d) If conduct that constitutes an offense under this section also constitutes an offense under another law, the actor

1 may be prosecuted under this section, the other law, or both.

2 SECTION 2. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 888 was passed by the House on May 2, 2019, by the following vote: Yeas 94, Nays 46, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 888 on May 23, 2019, by the following vote: Yeas 100, Nays 43, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 888 was passed by the Senate, with amendments, on May 21, 2019, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor