

Amend HB 2 (house committee printing) as follows:

(1) On page 5, line 19, strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

(2) On page 5, line 21, strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

(3) On page 7, between lines 12 and 13, insert the following:

(b-2) At the punishment stage of a trial of an offense under this section, other than an offense punishable under Subsection (b)(1)(A) or (b)(2), the actor may raise the issue as to whether the actor is related to the smuggled individual in the third or fourth degree of consanguinity or, at the time of the offense, in the third or fourth degree of affinity. If the actor proves the issue in the affirmative by a preponderance of the evidence, the offense is a felony of the third degree with a minimum term of imprisonment of five years.