

Amend CSHB 2 (senate committee report) on third reading as follows:

(1) On page 3, line 8, strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

(2) On page 3, line 11, strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

(3) On page 3, between lines 56 and 57, 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), (C), or (D) or (b)(2), the actor may raise the issue as to whether the actor is related to the smuggled individual in the third degree of consanguinity or, at the time of the offense, in the third 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.