

Amend SB 4 (house committee printing) as follows:

(1) Strike page 4, line 24, through page 5, line 1, and substitute the following:

Sec. 51.01. DEFINITIONS. (a) In this chapter:

(1) "Alien" has the meaning assigned by 8 U.S.C. Section 1101, as that provision existed on January 1, 2023, except that the term does not include a person:

(A) to whom the federal government has granted:

(i) lawful presence in the United States;

or

(ii) asylum under 8 U.S.C. Section 1158; or

(B) who was approved for benefits under the federal Deferred Action for Childhood Arrivals program between June 15, 2012, and July 16, 2021.

(2) "Port of entry" means a port of entry in the United States as designated by 19 C.F.R. Part 101.

(b) The following federal programs do not constitute lawful presence for purposes of Subsection (a)(1)(A):

(1) the Deferred Action for Parents of Americans and Lawful Permanent Residents program; and

(2) any program not enacted by the United States Congress that is a successor to or materially similar to the program described by Subsection (a)(1)(B) or Subdivision (1).

(2) On page 5, strike lines 10-26, and substitute the following:

(c) It is an affirmative defense to prosecution under this section that the defendant's conduct does not constitute a violation of 8 U.S.C. Section 1325(a).