

Amend **HB 800** (senate committee printing) as follows:

(1) In the recital to SECTION 3 of the bill (page 2, line 39), strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

(2) In SECTION 3 of the bill, in amended Section 20.05(b), Penal Code (page 2, line 41), strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

(3) In SECTION 3 of the bill, immediately following added Section 20.05(b-1), Penal Code (page 3, between lines 17 and 18), 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.