

BILL ANALYSIS

S.B. 1101
By: Flores
Homeland Security, Public Safety & Veterans' Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that human smuggling is a crime that often leads to the death of one or more persons. S.B. 1101 seeks to address this issue, strengthen the ability of law enforcement officials to prosecute individuals involved in smuggling, and prevent the illegal entry or presence of individuals on certain lands to protect these areas and ensure that they are not used for smuggling.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1101 amends the Penal Code to expand the conduct that constitutes the offense of smuggling of persons to include knowingly assisting, guiding, or directing two or more individuals to enter or remain on a cultural resource site or area, natural area, open space area, or park without the effective consent of the owner. For these purposes, the bill establishes that the terms "cultural resource site or area," "natural area," "open space area," and "park" have the meanings assigned by Parks and Wildlife Code provisions relating to local parks for smaller counties and municipalities and other political subdivisions.

S.B. 1101 applies only to an offense committed on or after the bill's effective date. An offense committed before the bill's effective date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense occurred before that date.

EFFECTIVE DATE

September 1, 2025.