

BILL ANALYSIS

Senate Research Center
89R1533 JCG-D

S.B. 1101
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Criminal Justice
3/21/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Human smuggling is a heinous crime that often leads to death. S.B. 1101 addresses the issue of smuggling of persons and will deter the crime. The amendments focus on expanding the definitions and conditions under which smuggling offenses are prosecuted, particularly in relation to the use of vehicles or other means of conveyance to transport individuals with the intent to conceal them from law enforcement or to flee from law enforcement.

S.B. 1101 provides clearer legal definitions and strengthens the ability of law enforcement to prosecute individuals involved in smuggling activities. By defining terms such as "cultural resource site or area," "natural area," "open space area," and "park," the bill seeks to address the illegal entry or presence of individuals on these lands without the owner's consent. This is intended to protect these areas and ensure that they are not used for illegal activities related to smuggling.

As proposed, S.B. 1101 amends current law relating to the prosecution of the offense of smuggling of persons.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 20.01, Penal Code, by adding Subsection (9) to define "cultural resource site or area," "natural area," "open space area," and "park."

SECTION 2. Amends Section 20.05(a), Penal Code, to provide that a person commits an offense if the person knowingly assists, guides, or directs two or more individuals to enter or remain on a cultural resource site or area, natural area, open space area, park, or agricultural land without the effective consent of the owner.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2025.