BILL ANALYSIS

Senate Research Center

S.B. 2601
By: Blanco
Border Security
4/11/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Landowner's Compensation Program, established by S.B. 1133 in the 88th Legislature (2023), compensates agricultural landowners for property damage caused by certain border crimes. Administered by the Office of the Attorney General, the program processes applications and conducts outreach to eligible landowners. Since the program's inception in May 2024, an interim charge analyzing its implementation—along with stakeholder feedback from across Texas—has led to recommendations for improvements.

In response to the feedback received, S.B. 2601 proposes key improvements to the program, including: adding the continuous smuggling of persons to the list of border crimes for which compensation can be awarded; allowing for compensation to be awarded for debris, pollutants, and contaminants damaging land; and allowing land lessees to directly receive compensation with the landowner's consent. Additionally, this bill prohibits insurance companies from raising rates on landowners for claims filed due to the eligibility requirements of the program. S.B. 2601 strengthens support for victims of property damage caused by border crimes, ensuring they receive fair and timely compensation while preserving Texas's agricultural integrity.

As proposed, S.B. 2601 amends current law relating to a program to compensate landowners for property damage.

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 Article 56C.001(2), Code of Criminal Procedure, to redefine "border crime."

SECTION 2. Amends Article 56C.003, Code of Criminal Procedure, by amending Subsection (a) and adding Subsections (b-1) and (c-1), as follows:

> (a) Requires the attorney general, from money appropriated for the purpose, to establish and administer a program to compensate landowners and lessees who suffer real property damage on agricultural land caused by certain persons or law enforcement responses.
>
> (b-1) Provides that damage caused to agricultural land includes any debris, pollutants, or contaminants left on the land during the applicable incident, and authorizes compensation awarded under Article 56C.003 (Landowner Compensation Program), for purposes of Subsection (a), to include an amount necessary to restore the soil to its agricultural use.
>
> (c-1) Prohibits the attorney general from awarding compensation under this article to a lessee for real property damage caused by a trespasser described by Subsection (a)(1) (relating to damage caused by a trespasser as a result of an offense committed as part of a border crime) unless the lessee provides a notarized statement from the landowner authorizing the lessee to directly receive compensation awarded under this article for the damage.

SECTION 3. Amends Section 2251.052, Insurance Code, by adding Subsection (a-1), to prohibit an insurer, in setting rates, from considering whether a claim has been made by or on behalf of a policyholder in relation to an event documented by a report described by Article 56C.003(c) (relating to prohibiting the attorney general from awarding compensation for real property damage caused by a trespasser unless certain requirements are met), Code of Criminal Procedure.

SECTION 4. Makes application of Section 2251.052(a-1), Insurance Code, as added by this Act, prospective.

SECTION 5. Effective date: September 1, 2025.