By:  Blanco S.B. No. 2601

A BILL TO BE ENTITLED

AN ACT

relating to a program to compensate landowners for property damage

caused by certain criminal activities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Article 56C.001(2), Code of Criminal Procedure, is amended to read as follows:

(2)  "Border crime" means conduct:

(A)  constituting an offense under:

(i)  Subchapter D, Chapter 481, Health and Safety Code;

(ii)  Section 20.05, 20.06, or 38.04, Penal Code; or

(iii)  Chapter 20A, Penal Code; and

(B)  involving transnational criminal activity.

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

(a)  From money appropriated for the purpose, the attorney general shall establish and administer a program to compensate landowners and lessees who suffer real property damage on agricultural land caused by:

(1)  a trespasser as a result of an offense under Chapter 28, Penal Code, that was committed in the course of or in furtherance of a border crime; or

(2)  a law enforcement response to a trespasser who was engaged in a border crime.

(b-1)  For purposes of Subsection (a), damage caused to agricultural land includes any debris, pollutants, or contaminants left on the land during the applicable incident, and compensation awarded under this article may include an amount necessary to restore the soil to its agricultural use.

(c-1)  The attorney general may not award compensation under this article to a lessee for real property damage caused by a trespasser described by Subsection (a)(1) 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.  Section 2251.052, Insurance Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  In setting rates, an insurer may not consider 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), Code of Criminal Procedure.

SECTION 4.  Section 2251.052(a-1), Insurance Code, as added by this Act, applies only to an insurance policy that is delivered, issued for delivery, or renewed on or after January 1, 2026. A policy delivered, issued for delivery, or renewed before January 1, 2026, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 5.  This Act takes effect September 1, 2025.