

## **BILL ANALYSIS**

Senate Research Center  
79R2785 UM-D

H.B. 1048  
By: Chisum (Seliger)  
Criminal Justice  
5/17/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

During the past eighteen months, law enforcement officers in the Texas Panhandle have seen an increase in cases of people being illegally transported from Mexico through the western United States to the eastern United States. Recent prosecutions include a man who was transporting 17 illegal immigrants in a six-passenger vehicle.

These incidents occur from time to time in the regular course of a sheriff's duties. Information obtained from federal authorities states that these transporters tend to be well-organized groups who earn a living transporting people illegally, using the same drivers and vehicles repeatedly.

H.B. 1048 authorizes the seizure and forfeiture of vehicles used in the unlawful transport of persons in Texas, in an attempt to slow the trafficking of human cargo.

### **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. Reenacts and amends Article 59.01(2), Code of Criminal Procedure, as amended by Section 2.141, Chapter 198, Section 17, Chapter 257, and Section 3, Chapter 649, Acts of the 78th Legislature, Regular Session, 2003, to redefine "contraband" to include property of any nature, including real, personal, tangible, or intangible, that is used in the commission of any felony under Section 20.05 (Unlawful Transport), Penal Code.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.