

## **BILL ANALYSIS**

Senate Research Center

S.B. 2195  
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As Filed

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

Transnational gangs are increasingly being utilized to support Mexican organized crime cartels on both sides of the Texas-Mexico border, performing murders, kidnappings, and counter-surveillance. These gangs also smuggle drugs and humans into the United States and bulk cash, stolen vehicles, and weapons into Mexico.

In an effort to address the rising crime and increased gang activity in the border region and across Texas, this bill creates a new penalty for transporting bulk cash across Texas, creates a new penalty for transporting bulk cash across an international bridge, and provides penalty enhancements for various crimes including transporting weapons, fugitives, and stolen vehicles across an international bridge.

As proposed, S.B. 2195 amends current law relating to the creation of and penalties for certain offenses that take place at or involve an attempt to cross an international bridge.

### **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 Subchapter D, Chapter 12, Penal Code, by adding Section 12.50, as follows:

Sec. 12.50. PENALTIES FOR CERTAIN OFFENSES COMMITTED ON INTERNATIONAL BRIDGE. Provides that an offense under Section 31.07 (Unauthorized Use of a Vehicle), 46.02 (Unlawful Carrying Weapons), or 46.05 (Prohibited Weapons) is a felony of the second degree if the person who committed the offense was, at the time the offense was committed, traveling on an international bridge toward Mexico.

SECTION 2. Amends Section 38.05, Penal Code, by amending Subsection (c) and adding Subsection (e), as follows:

(c) Provides that an offense under this section is a Class A misdemeanor, except as provided by Subsections (d) (relating to an offense under this section that is a felony in the third degree) and (e), rather than Subsection (d).

(e) Provides that an offense under this section is a felony of the second degree if the person who harbored or concealed another, provided another with a means of avoiding arrest or effecting an escape, or warned another of discovery or apprehension had the intent to transport the other person across an international boundary.

SECTION 3. Amends Chapter 46, Penal Code, by adding Section 46.14, as follows:

Sec. 46.14. UNLAWFUL TRANSPORTATION OF CURRENCY. (a) Provides that a person commits an offense if the person, with the intent to evade a currency reporting requirement under 31 U.S.C. Section 5316 while traveling on an international bridge toward Mexico, knowingly conceals more than \$10,000 in currency or other monetary

instruments on the person or in any conveyance, article of luggage, merchandise, or other container.

(b) Provides that an offense under this section is a felony of the second degree.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2009.