

1-1 By: Blanco S.B. No. 2601
 1-2 (In the Senate - Filed March 13, 2025; April 3, 2025, read
 1-3 first time and referred to Committee on Border Security;
 1-4 April 16, 2025, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 5, Nays 0; April 16, 2025,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Birdwell	X			
1-9 Flores	X			
1-10 Eckhardt	X			
1-11 Hinojosa of Nueces	X			
1-12 Hinojosa of Hidalgo	X			

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 2601 By: Hinojosa of Hidalgo

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the landowner compensation program.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Article 56C.001(2), Code of Criminal Procedure,
 1-20 is amended to read as follows:

1-21 (2) "Border crime" means conduct:

1-22 (A) constituting an offense under:

1-23 (i) Subchapter D, Chapter 481, Health and
 1-24 Safety Code;

1-25 (ii) Section 20.05, 20.06, or 38.04, Penal
 1-26 Code; or

1-27 (iii) Chapter 20A, Penal Code; and

1-28 (B) involving transnational criminal activity.

1-29 SECTION 2. Article 56C.003, Code of Criminal Procedure, is
 1-30 amended by amending Subsection (a) and adding Subsections (b-1),
 1-31 (c-1), and (e) to read as follows:

1-32 (a) From money appropriated for the purpose, the attorney
 1-33 general shall establish and administer a program to compensate
 1-34 landowners and lessees who suffer real property damage on
 1-35 agricultural land caused by:

1-36 (1) a trespasser as a result of an offense under
 1-37 Chapter 28, Penal Code, that was committed in the course of or in
 1-38 furtherance of a border crime; or

1-39 (2) a law enforcement response to a trespasser who was
 1-40 engaged in a border crime.

1-41 (b-1) For purposes of Subsection (a), damage caused to
 1-42 agricultural land includes any debris, pollutants, or contaminants
 1-43 left on the land during the applicable incident, and compensation
 1-44 awarded under this article may include an amount necessary to clean
 1-45 debris, pollutants, or contaminants.

1-46 (c-1) The attorney general may not award compensation under
 1-47 this article to a lessee for real property damage caused by a
 1-48 trespasser described by Subsection (a)(1) unless the lessee
 1-49 provides a notarized statement from the landowner authorizing the
 1-50 lessee to directly receive compensation awarded under this article
 1-51 for the damage.

1-52 (e) On request by the attorney general and not later than
 1-53 the 14th business day after the date of the request, a law
 1-54 enforcement agency shall release to the attorney general all
 1-55 reports, including witness statements and criminal history record
 1-56 information, to allow the attorney general to determine whether a
 1-57 person qualifies for an award of compensation under this article
 1-58 and the extent of the damage.

1-59 SECTION 3. Section 2251.052, Insurance Code, is amended by
 1-60 adding Subsection (a-1) to read as follows:

2-1 (a-1) In setting rates, an insurer may not consider whether
2-2 a claim has been made by or on behalf of a policyholder in relation
2-3 to an event documented by a report described by Article 56C.003(c),
2-4 Code of Criminal Procedure.

2-5 SECTION 4. Section 2251.052(a-1), Insurance Code, as added
2-6 by this Act, applies only to an insurance policy that is delivered,
2-7 issued for delivery, or renewed on or after January 1, 2026. A
2-8 policy delivered, issued for delivery, or renewed before January 1,
2-9 2026, is governed by the law as it existed immediately before the
2-10 effective date of this Act, and that law is continued in effect for
2-11 that purpose.

2-12 SECTION 5. This Act takes effect September 1, 2025.

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