

**BILL SUMMARY**  
1<sup>st</sup> Session of the 60<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB1362</b>
<b>Version:</b>	<b>POLREC</b>
<b>Request Number:</b>	<b>12783</b>
<b>Author:</b>	<b>Rep. Hardin</b>
<b>Date:</b>	<b>2/21/2025</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

The policy committee recommendation to HB 1362 provides that any person who is apprehended and arrested for violating a criminal law of this state, and after determining the citizenship status of the person is found to be unlawfully present in the United States, shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not less than five years. A person arrested may be allowed to post a cash bond of \$35,000. In lieu of imprisonment, the court has the authority to dismiss the criminal prosecution and issue an order requiring the person to return to his or her country of origin if the person agrees and has not been previously convicted of a violent offense and is not charged with any other felony offense. If ordered to return to country of origin, the person is remanded to the Department of Corrections who is to notify the United States Customs and Border Protection within seven days for repatriation.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

The POLREC to HB1362 sets forth procedures for the courts and for the Department of Corrections (DOC) in certain arrests of persons who are unlawfully present in the United States. In its current form, this measure is not anticipated to have a material impact on state budget or appropriations.

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**Other Considerations**

None.