

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1254
By: Hall
Veteran Affairs & Border Security
4/29/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

To stop criminals at the border, Texas must have jurisdiction to enforce federal laws. Texas can obtain this authority through an interstate compact with at least one other state and the approval of the United States Congress. Article 1, Section 10 of the United States Constitution recognizes the authority of the states to create an interstate compact to be validated by Congress (presidential approval not required). With just congressional consent, the compact will become federal law and grant participating states the right of relevant federal jurisdiction.

This bill directs the Governor of Texas to coordinate and develop an interstate compact for joint action on border security among interested states and would enable Texas and other participating states, with a greater understanding of their own needs, to better enforce the existing federal laws on border security and keep our citizens safe.

(Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 1254 amends current law relating to an interstate compact on border security and immigration enforcement.

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 Title 7, Government Code, by adding Chapter 793, as follows:

CHAPTER 793. INTERSTATE COMPACT FOR BORDER SECURITY

Sec. 793.001. DEFINITION. Defines "illegal alien."

Sec. 793.002. AUTHORITY TO EXECUTE INTERSTATE COMPACT. Authorizes the governor, on behalf of this state, to coordinate, develop, and execute an interstate compact for border security among interested states, and to seek the approval of the United States Congress for the compact.

Sec. 793.003. CONGRESSIONAL APPROVAL. Provides that the compact authorized by this chapter takes effect only if approved by the United States Congress not later than the 10th anniversary of the date the compact is executed by the governor under Section 793.002.

Sec. 793.004. INTERSTATE COMPACT PROVISIONS. Requires that the compact authorized by this chapter provide for joint action among compacting states on matters that include:

- (1) the operational control of this state's border with Mexico by the total detection and apprehension or deflection of illegal aliens attempting to cross the border into this state; and

(2) any other enforcement of federal immigration laws, including the detecting, apprehending, detaining, prosecuting, releasing, and monitoring of illegal aliens.

SECTION 2. Effective date: upon passage or September 1, 2021.