

## **BILL ANALYSIS**

Senate Research Center  
84R23734 MTB-D

C.S.S.B. 1252  
By: Hall  
Veteran Affairs & Military Installations-S/C Border Security  
4/22/2015  
Committee Report (Substituted)

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

To stop illegal alien-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 (U.S.) Congress. Article 1, Section 10 of the U.S. Constitution recognizes the authority of the states to create an interstate compact to be validated by Congress, done so without the president. With Congress' consent, the compact will become federal law and grant participating states the right of relevant federal jurisdiction.

This right will empower participating states to enforce federal laws. Interstate compacts are not new. The states have created hundreds of interstate compacts since the founding of our nation. It is time for the Texas Legislature to accept its responsibility of protecting Texas' citizens from the illegal alien-criminals and pass C.S.S.B. 1252, which will give the governor the authority to develop and enter into a Border Security Interstate Compact.

C.S.S.B. 1252 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. DEFINITIONS. Defines "illegal alien."

Sec. 793.002. AUTHORITY TO EXECUTE INTERSTATE COMPACT. Requires the governor of the State of Texas (governor), on behalf of this state, to:

- (1) coordinate, develop, and execute an interstate compact for border security among interested states;
- (2) call a special session of the legislature to adopt a compact described by Subdivision (1) on or before the 31st day after another state adopts the compact; and
- (3) seek the approval of the United States Congress for the compact.

Sec. 793.003. INTERSTATE COMPACT PROVISIONS. Requires that the compact required by this chapter provide for joint action among compacting states on matters that include:

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

(2) otherwise enforcing federal immigration laws, including detecting, apprehending, detaining, prosecuting, releasing, and monitoring of illegal aliens.

SECTION 2. Effective date: upon passage or September 1, 2015.