

## **BILL ANALYSIS**

Senate Research Center  
85R720 JJT-D

S.B. 764  
By: Huffines  
Finance  
4/19/2017  
As Filed

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

Due to Texas' location along the southern border of the United States, Texas has long been a part of the illegal immigration conversation. Texas has the longest border with another country in the United States and spends millions of dollars on border security each year to protect Texans and their resources.

For the legislature and the citizens of Texas, it is important to have the necessary information to appropriate money properly. Currently, there is significant information that is still missing when the state's legislature creates the budget every two years: the impact of illegal immigration on the state of Texas. By knowing the cost on our education, health care, and criminal justice systems, we will be able to better assess the distribution of state funds to address any disparities created.

It is the federal government's responsibility to maintain the security of the national border. When the federal government fails to prevent unlawful entry into the United States, the federal government should reimburse Texas for its expenditures to provide services to persons who are not legally present in the United States.

S.B. 764 would require the Texas comptroller of public accounts (comptroller) to issue an estimation of financial cost incurred by the state during the preceding two-year period resulting from persons who are not lawfully present in the United States to the governor, lieutenant governor, speaker of the house, as well as the Texas attorney general by no later than the 30th day before the start of each legislative session. In addition to the estimation of the total fiscal impact, the comptroller would also be required to include additional reports for specific categories. The categories include costs associated with the education, health care, and incarceration of persons who are not lawfully present in the United States.

As proposed, S.B. 764 amends current law relating to accounting for costs incurred by this state as a result of the presence of persons who are not lawfully present in the United States.

### **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 B, Chapter 403, Government Code, by adding Section 403.0112, as follows:

Sec. 403.0112. ACCOUNTING FOR COSTS OF ILLEGAL IMMIGRATION. (a) Requires the Texas comptroller of public accounts (comptroller), not later than the 30th day before the first day of each regular legislative session, to issue to the speaker of the house of representatives, the lieutenant governor, the governor, and the Texas attorney general an estimation of the financial costs to this state incurred during the preceding two-year period that resulted from the presence in this state of persons not lawfully present in the United States.

(b) Requires the estimation to include a separate accounting for the estimated costs to the state incurred in specific categories of state spending as determined by the comptroller. Requires the categories to include costs of education of, health care for, and incarceration of persons described by Subsection (a) and costs of border security and law enforcement attributable to those persons.

SECTION 2. Provides that this state recognizes that it is the responsibility of the federal government to maintain the security of the national border to prevent unlawful entry of persons and finds that the federal government should reimburse this state for this state's expenditures that are made necessary for the same purpose.

SECTION 3. Effective date: September 1, 2017.