

By: Toth

H.B. No. 3589

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to civil liability of a local entity or institution of  
3 higher education official directing certain immigration law  
4 violations.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter C, Chapter 752, Government Code, is  
7 amended by adding Section 752.0563 to read as follows:

8 Sec. 752.0563. CIVIL LIABILITY FOR OFFICIALS. (a) An  
9 individual who holds an elective or appointive office of a local  
10 entity or institution of higher education and who directs the  
11 entity or the institution's campus police department to violate  
12 Section 752.053 is liable in the official's personal capacity to a  
13 person for the person's damages that were incurred as a result of  
14 the violation.

15 (b) An official of a local entity or institution of higher  
16 education may not assert official immunity or other forms of  
17 immunity as a defense in an action described by Subsection (a).

18 SECTION 2. Section 752.0563, Government Code, as added by  
19 this Act, applies only to a cause of action that accrues on or after  
20 the effective date of this Act.

21 SECTION 3. This Act takes effect September 1, 2021.