

By: Hopper

H.B. No. 4712

A BILL TO BE ENTITLED

AN ACT

relating to an annual report by the comptroller of public accounts  
on the fiscal impact to this state of persons not lawfully present.

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

SECTION 1. Subchapter B, Chapter 403, Government Code, is  
amended by adding Section 403.0304 to read as follows:

Sec. 403.0304. REPORT ON COST OF PERSONS NOT LAWFULLY  
PRESENT. (a) In this section, "person not lawfully present" means  
a person who is not:

(1) a citizen or other national of the United States;  
or

(2) an alien who is lawfully admitted for permanent  
residence in the United States under the federal Immigration and  
Nationality Act (8 U.S.C. Section 1101 et seq.) or authorized to be  
employed by that Act or the United States attorney general.

(b) Not later than June 30 of each year, the comptroller  
shall post on the comptroller's Internet website and submit to the  
governor, the lieutenant governor, the speaker of the house of  
representatives, and each other member of the legislature a report  
prepared by the comptroller on the fiscal impact on this state of  
the costs associated with persons not lawfully present. At a  
minimum, the report must include the amount of, and an explanation  
of the methodology used to determine, the following costs:

(1) health care costs, including:

1                   (A) costs associated with:

2                   (i) uncompensated medical care provided to  
3 persons not lawfully present by hospitals and health care  
4 facilities located in this state; and

5                   (ii) Medicaid and emergency medical  
6 services used by persons not lawfully present; and

7                   (B) the impact of health care expenditures  
8 described by this subdivision on state and local budgets;

9                   (2) law enforcement and criminal justice costs,  
10 including:

11                   (A) costs incurred by state and local law  
12 enforcement agencies related to criminal activity by persons not  
13 lawfully present;

14                   (B) expenses associated with the incarceration  
15 and detention in jails and prisons in this state of persons not  
16 lawfully present; and

17                   (C) costs related to border security operations  
18 and cooperation with federal immigration enforcement;

19                   (3) public education costs, including:

20                   (A) state and local expenditures related to  
21 providing to persons not lawfully present an education in public  
22 schools located in this state;

23                   (B) the cost of providing bilingual education,  
24 English as a Second Language (ESL) programs, and other educational  
25 resources required for persons not lawfully present; and

26                   (C) federal funding offsets, if any, for costs  
27 described by this subdivision and the impact of those offsets on

1 total state and local expenditures;

2 (4) welfare and public assistance costs, including:

3 (A) costs associated with the use of public  
4 benefits and welfare programs by persons not lawfully present,  
5 including costs incurred as a result of fraud and abuse by those  
6 persons;

7 (B) costs associated with the use of the  
8 supplemental nutrition assistance program under Chapter 33, Human  
9 Resources Code, the temporary assistance for needy families program  
10 under Chapter 31, Human Resources Code, and other state-funded  
11 assistance programs by persons not lawfully present; and

12 (C) the impact of fraudulent benefit claims by  
13 persons not lawfully present on the solvency of welfare programs;  
14 and

15 (5) economic impact and job market data, including:

16 (A) wage suppression and employment displacement  
17 of lawful residents of this state due to the employment of persons  
18 not lawfully present;

19 (B) the impact of the employment of persons not  
20 lawfully present on tax revenues and business compliance with labor  
21 laws; and

22 (C) the estimated tax contributions made by  
23 persons not lawfully present, if any, and the net fiscal impact of  
24 those contributions.

25 (c) The comptroller shall hold a public hearing each year to  
26 review the findings of the report prepared under Subsection (b) and  
27 to receive public comments from stakeholders, including law

1 enforcement agencies, health care providers, educators, and  
2 business leaders.

3 (d) Not later than March 1 of each year, the following state  
4 agencies shall submit to the comptroller information requested by  
5 the comptroller that is necessary for the preparation of the report  
6 under Subsection (b):

7 (1) the Health and Human Services Commission;

8 (2) the Texas Department of Criminal Justice;

9 (3) the Department of Public Safety;

10 (4) the Texas Education Agency; and

11 (5) the Texas Workforce Commission.

12 (e) The comptroller may request the state auditor's  
13 assistance to determine the accuracy of the information submitted  
14 to the comptroller by a state agency under Subsection (d). The  
15 state auditor shall provide the requested assistance.

16 (f) To ensure accuracy and consistency in the information  
17 collected, the comptroller by rule shall:

18 (1) adopt a form each state agency must use to submit  
19 information under Subsection (d); and

20 (2) establish, in consultation with the state auditor,  
21 appropriate auditing procedures for use as provided by Subsection  
22 (e).

23 (g) The comptroller shall report to the legislature each  
24 state agency that fails to submit information as required by  
25 Subsection (d) or that submits inaccurate or misleading information  
26 under that subsection. The legislature may take appropriate action  
27 in response to a report received from the comptroller under this

1 subsection, which may include reducing the amount of money that  
2 would otherwise be appropriated to a state agency named in the  
3 report for use during the next state fiscal biennium.

4       SECTION 2. This Act takes effect September 1, 2025.