

By: Schwertner, et al.  
(Spiller, Louderback, Tepper)

S.B. No. 8

A BILL TO BE ENTITLED

AN ACT

relating to agreements between sheriffs and the United States Immigration and Customs Enforcement to enforce federal immigration law.

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

SECTION 1. Chapter 752, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. IMMIGRATION LAW ENFORCEMENT AGREEMENTS BETWEEN  
SHERIFFS AND FEDERAL GOVERNMENT

Sec. 752.081. DEFINITION. In this subchapter, "grant" means a grant authorized to be awarded by the comptroller under the grant program established by Section 752.083.

Sec. 752.082. IMMIGRATION ENFORCEMENT AGREEMENTS. (a) The sheriff of each county with a population of 100,000 or more shall request, and as offered, enter into a written agreement with the United States Immigration and Customs Enforcement under Section 287(g), Immigration and Nationality Act (8 U.S.C. Section 1357(g)), or an agreement under a similar federal program to authorize officers and employees of the sheriff's department to enforce federal immigration law.

(b) The sheriff of a county with a population of less than 100,000 may request, and as offered, enter into a written agreement with the United States Immigration and Customs Enforcement under Section 287(g), Immigration and Nationality Act (8 U.S.C. Section

1 1357(g)), or an agreement under a similar federal program to  
2 authorize officers and employees of the sheriff's department to  
3 enforce federal immigration law.

4 (c) An agreement entered into under this section must  
5 include the scope, duration, and limitations of the authority to  
6 enforce federal immigration law.

7 (d) A sheriff who enters into an agreement under this  
8 section shall allocate the necessary resources, including  
9 personnel and funding, to ensure the proper implementation of the  
10 agreement, including the resources necessary to meet any reasonable  
11 objectives for enforcement set forth in the agreement.

12 (e) The sheriff of a county with a population of 100,000 or  
13 more who requested but was not offered a written agreement under  
14 this section shall make additional requests to enter into a written  
15 agreement under this section at least once annually after each  
16 request is made.

17 Sec. 752.083. GRANT PROGRAM: ESTABLISHMENT AND  
18 ADMINISTRATION. From any money appropriated or otherwise available  
19 for this purpose, the comptroller shall establish and administer a  
20 grant program to support the state purpose of assisting sheriffs  
21 serving counties participating in agreements in which officers and  
22 employees of the sheriffs' departments are authorized to enforce  
23 federal immigration law.

24 Sec. 752.084. GRANT PROGRAM: APPLICATION FOR SHERIFFS OF  
25 CERTAIN COUNTIES. (a) A sheriff is eligible to apply for a grant  
26 under this subchapter if the sheriff serves a county that has a  
27 population of less than one million and has entered into an

1 agreement under Section 752.082. The application must include  
2 details of the sheriff's department's obligations under the  
3 agreement and of the department's staffing resources dedicated to  
4 implementing the agreement and the staffing resources necessary to  
5 sustain the sheriff's department's participation in the agreement.

6 (b) The comptroller by rule may require an applicant to  
7 submit additional information or documentation with respect to a  
8 grant application submitted under this section.

9 Sec. 752.085. GRANT PROGRAM: GRANT AWARD. (a) On approval  
10 of an application submitted under Section 752.084 and using money  
11 appropriated to the comptroller for this purpose, the comptroller  
12 shall award a grant to an eligible sheriff who applies for the grant  
13 as provided by Subsection (b).

14 (b) The comptroller by rule shall prescribe a procedure for  
15 awarding grants to each eligible sheriff who applies for a grant,  
16 with grant money divided among the following population tiers in  
17 accordance with the General Appropriations Act:

18 (1) 50,000 or less;

19 (2) at least 50,001 but not more than 99,999;

20 (3) at least 100,000 but not more than 499,999; and

21 (4) at least 500,000 but not more than one million.

22 (c) A sheriff who is awarded a grant under this section must  
23 use the grant money to pay the costs associated with participating  
24 in the agreement that is the subject of the grant that are not  
25 reimbursed by the federal government. Grant money may only be spent  
26 over a two-year period on:

27 (1) compensation for peace officers and employees

1 performing duties under the agreement;

2 (2) generating and delivering reports required by the  
3 agreement, including administrative duties required by this  
4 subchapter;

5 (3) equipment and related services for peace officers  
6 related to the agreement, including the cost of repairing or  
7 replacing equipment required, but not provided, under the  
8 agreement;

9 (4) attendance by a peace officer at any training or  
10 other event required under the agreement; and

11 (5) other expenses associated with participating in  
12 the agreement as determined by the comptroller.

13 Sec. 752.086. GRANT PROGRAM: COMPTROLLER POWERS AND  
14 DUTIES. (a) The comptroller shall adopt rules necessary to  
15 implement the grant program established by Section 752.083,  
16 including rules that establish:

17 (1) a standardized application process, including the  
18 form to be used to apply for a grant and the manner of submitting the  
19 form;

20 (2) deadlines for:

21 (A) applying for the grant;

22 (B) submitting detailed documentation necessary  
23 to demonstrate the sheriff's costs in participating in the  
24 agreement that is the subject of the grant at least annually;

25 (C) distributing grant money; and

26 (D) spending grant money; and

27 (3) procedures for:

1           (A) monitoring the distribution of grant money to  
2 ensure compliance with this subchapter; and

3           (B) returning grant money that was not used by a  
4 sheriff for a purpose authorized by this subchapter.

5           (b) The comptroller may accept gifts, grants, and donations  
6 to establish and administer the grant program under this  
7 subchapter.

8           (c) The comptroller by rule shall adopt a procedure for  
9 determining the period of the state fiscal year in which the  
10 comptroller expects there to be money that remains unawarded under  
11 the grant program and allowing a recipient of a grant awarded in  
12 that fiscal year to request additional grant money not to exceed any  
13 limit provided in the General Appropriations Act for the counties  
14 in the tier described by Section 752.085 applicable to the  
15 recipient.

16           Sec. 752.087. GRANT PROGRAM: EFFECT ON COUNTY  
17 APPROPRIATIONS. In relation to money received from a grant awarded  
18 to a sheriff under Section 752.085, the commissioners court of the  
19 county the sheriff serves may not reduce the appropriation to the  
20 sheriff's department in response to the sheriff receiving the  
21 grant.

22           Sec. 752.088. REPORTING AND ACCOUNTABILITY. (a) A sheriff  
23 who has entered into an agreement under Section 752.082 shall, not  
24 later than the 60th day after the date the fiscal year of the county  
25 served by the sheriff ends, submit a written report to the  
26 comptroller and the attorney general. The report must provide  
27 details on the sheriff's expenditures related to the agreement.

1       (b) The sheriff of a county with a population of 100,000 or  
2 more who has not entered into an agreement under Section 752.082  
3 shall annually provide proof to the attorney general of the  
4 sheriff's attempt to enter into the agreement.

5       (c) The Commission on Jail Standards shall annually submit  
6 to the comptroller and attorney general a report on immigration  
7 detainers reported by each county jail in compliance with Section  
8 511.0101(a)(1)(M).

9       (d) Not later than April 1 of each year, the comptroller, in  
10 collaboration with the attorney general, shall prepare a written  
11 report on participation in agreements entered into under Section  
12 752.082 and submit the report to the governor, lieutenant governor,  
13 and speaker of the house of representatives. The report must  
14 include:

15               (1) a summary of the sheriff reports submitted under  
16 Subsection (a);

17               (2) details on the grant program established by  
18 Section 752.083, including the number of sheriffs participating and  
19 total amount of money distributed; and

20               (3) a summary of any enforcement actions taken by the  
21 attorney general under Section 752.089.

22       Sec. 752.089. ENFORCEMENT BY ATTORNEY GENERAL. (a) The  
23 attorney general may bring an action against a sheriff who fails to  
24 comply with this subchapter in a district court for appropriate  
25 equitable relief.

26       (b) The attorney general may recover reasonable expenses  
27 incurred in obtaining relief under Subsection (a), including court

1 costs, reasonable attorney's fees, investigative costs, witness  
2 fees, and deposition costs.

3 (c) An action brought against a sheriff under this section  
4 must be brought in a district court for the county served by the  
5 sheriff.

6 SECTION 2. Not later than December 1, 2026, the sheriff of  
7 each county with a population of 100,000 or more shall comply with  
8 Section 752.082(a), Government Code, as added by this Act.

9 SECTION 3. A grant awarded to a sheriff under Section  
10 752.085, Government Code, as added by this Act, may cover any costs  
11 associated with participating in an agreement described by Section  
12 752.082, Government Code, as added by this Act, that were incurred  
13 by the sheriff between September 30, 2025, and January 1, 2026.

14 SECTION 4. Except as otherwise provided by this Act, this  
15 Act takes effect January 1, 2026.