

By: Christian

H.B. No. 1774

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the enforcement of immigration laws by local  
3 governments.

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

5 SECTION 1. Section 370.003, Local Government Code, is  
6 amended to read as follows:

7 Sec. 370.003. MUNICIPAL OR COUNTY POLICY REGARDING  
8 ENFORCEMENT OF STATE AND FEDERAL ~~[DRUG]~~ LAWS. (a) The governing  
9 body of a municipality, the commissioners court of a county, or a  
10 sheriff, municipal police department, municipal attorney, county  
11 attorney, district attorney, or criminal district attorney may not  
12 adopt a policy under which the entity will not fully enforce the  
13 laws of this state or federal law relating to:

14 (1) drugs, including Chapters 481 and 483, Health and  
15 Safety Code; or

16 (2) immigrants or immigration, including the federal  
17 Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.)~~[7~~  
18 ~~and federal law]~~.

19 (b) If a municipality or county adopts a policy under which  
20 the entity will not fully enforce the laws of this state or federal  
21 laws relating to Subsection (a)(2) or, by consistent actions, fails  
22 to fully enforce the laws of this state or federal laws relating to  
23 Subsection (a)(2), the municipality or county may not receive:

24 (1) state funds; or

1           (2) federal funds distributed to local governmental  
2 entities at the discretion of a state agency.

3           (c) Funds for the municipality or county shall be denied for  
4 the fiscal year following the year in which the policy is adopted or  
5 the determination is made that the entity has failed to fully  
6 enforce the laws of this state or federal laws relating to  
7 Subsection (a)(2).

8           (d) The Governor's Office of Budget and Planning shall adopt  
9 rules to implement this subsection uniformly among the state  
10 agencies from which funds are distributed to a municipality or  
11 county.

12           SECTION 2. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2007.