

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 16, 2007

TO: Honorable David Swinford, Chair, House Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1256 by Hilderbran (Relating to the enforcement of immigration laws.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Local Government Code to prohibit local government entities from adopting a policy under which the entity would not fully enforce state or federal laws related to immigrants or immigration.

The bill would amend the Code of Criminal Procedure by authorizing a peace officer to inquire into the immigration status of any person under arrest or detained on other grounds if the officer has a reasonable suspicion to believe the person has violated federal immigration laws. The officer would be authorized to identify and report the person to the U.S. Citizenship and Immigration Services or arrest them for the violation. The bill would prohibit any other state statute, local ordinance/regulation, or public official from prohibiting a peace officer from exercising this authority.

Local Government Impact

If an entity currently has a policy that would be prohibited by passage of the bill, dropping the policy and fully enforcing the applicable laws could increase enforcement activities, although it is anticipated any increase in costs could be absorbed using existing resources.

Any additional enforcement activity generated through authorization granted under the proposed change to the Code of Criminal Procedure could also be absorbed using existing resources.

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KJG, DB