

By: Zerwas

H.B. No. 276

A BILL TO BE ENTITLED

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

AN ACT

relating to the requirement that state agencies report the cost of services and benefits provided to unlawful immigrants.

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

SECTION 1. Section 2101.0115, Government Code, is amended by amending Subsections (c) and (d) and adding Subsection (e) to read as follows:

(c) A state agency's annual report must include:

(1) the name and job title of each bonded agency employee, the amount of the bond, and the name of the surety company that issued the bond;

(2) an analysis of space occupied by the agency, including:

(A) the total amount of space rented by the agency, expressed in square feet;

(B) the total amount of space occupied by the agency in state-owned buildings, expressed in square feet;

(C) the name and address of each building in which the agency occupies space and the amount of square feet in each building devoted to each particular use;

(D) the cost per square foot of all rented space;

(E) the annual and monthly cost of all rented space;

(F) the name of each lessor of space rented by the

1 agency;

2 (G) a description of the agency's progress toward  
3 achieving the objective provided by Section 2165.104, if the agency  
4 is subject to that section; and

5 (H) any other information helpful to describe the  
6 agency's use of space;

7 (3) an itemization of all fees paid by the agency for  
8 professional or consulting services provided under Subchapter A or  
9 B, Chapter 2254, including the name of each person receiving those  
10 fees and the reason for the provision of the services;

11 (4) an itemization of all fees paid by the agency for  
12 legal services, other than legal services provided by an agency  
13 employee or the attorney general, including the name of each person  
14 receiving those fees and the reason for the provision of the  
15 services;

16 (5) a copy of the form prepared by the agency under  
17 Section 2205.041, relating to the agency's use and cost of  
18 operating aircraft that are state-owned or under rental or  
19 long-term lease;

20 (6) an itemization of any purchases made under Section  
21 2155.067, including each product purchased, the amount of the  
22 purchase, and the name of the vendor;

23 (7) for each fiscal year ending in an even-numbered  
24 calendar year:

25 (A) a copy of the master file report verification  
26 form certified by the General Land Office, if applicable to the  
27 agency, to confirm that the agency is in compliance with Subchapter

1 E, Chapter 31, Natural Resources Code; or

2 (B) if the agency's inventory record is  
3 inaccurate or incomplete, a statement that the agency will submit  
4 the appropriate forms to the General Land Office not later than the  
5 15th day after the date the agency submits its annual report;

6 (8) a copy of the report prepared by the agency under  
7 Section 2161.124, relating to the agency's use of historically  
8 underutilized businesses;

9 (9) a report of each transfer of appropriated money  
10 between appropriation items that shows the sum of all transfers  
11 affecting each item;

12 (10) an itemization of each passenger vehicle the  
13 agency purchased, including the make, model, purchase price,  
14 assigned type of use, and fuel efficiency as expressed by the  
15 manufacturer's fuel efficiency rating;

16 (11) a schedule, applicable to state agencies  
17 determined by the Legislative Budget Board, detailing total  
18 expenditures by or on behalf of the agency for:

19 (A) employee benefits, including social  
20 security, health insurance, retirement contributions, benefit  
21 replacement pay, and workers' and unemployment compensation  
22 payments;

23 (B) bond debt service; and

24 (C) payments for general governmental services  
25 as defined by the comptroller, including services of the  
26 comptroller, the attorney general, the General Services  
27 Commission, the Department of Information Resources, and the state

1 auditor;

2 (12) for an institution of higher education, the total  
3 amount of lump-sum vacation and compensatory leave payments made to  
4 employees who separated from state service during the fiscal year;

5 (13) the name and job title of each state officer or  
6 employee authorized to use a state-owned or state-leased vehicle  
7 and the reasons for the authorization, in accordance with Section  
8 2113.013; ~~and~~

9 (14) a report of expenditures made for each commodity  
10 or service identified under Section 2155.448, including:

11 (A) the total amount spent on those commodities  
12 and services;

13 (B) the total amount spent for commodities and  
14 services purchased that accomplish the same purpose; and

15 (C) the total amount spent for all other  
16 recycled, remanufactured, or environmentally sensitive commodities  
17 or services, itemized by type of commodity or service; and

18 (15) a report of the cost of services and benefits  
19 provided to unlawfully present immigrants, with the agency  
20 determining the extent to which unlawfully present immigrants are  
21 served by the agency by:

22 (A) asking each recipient of a service or benefit  
23 whether the individual is an unlawfully present immigrant, unless  
24 prohibited by other law;

25 (B) considering statements and other information  
26 provided by the recipient of a service or benefit that identifies  
27 the recipient as an unlawfully present immigrant, including place

1 of birth, registration with the Social Security Administration to  
2 the extent that information may be lawfully obtained, and work  
3 history; or

4 (C) using a statistical method developed by the  
5 agency if it is not practical for the agency to directly determine  
6 whether each recipient of a service or benefit is an unlawfully  
7 present immigrant.

8 (d) In this section:

9 (1) "Annual report" means the annual report required  
10 by this section.

11 (2) "Appropriated money" means money appropriated by  
12 the legislature under the General Appropriations Act or other law.

13 (3) "Appropriation item" includes an item listed in  
14 the General Appropriations Act under an informational listing of  
15 appropriated funds.

16 (4) "Unlawfully present immigrant" means an  
17 individual who is not:

18 (A) a United States citizen;

19 (B) a legal permanent resident of the United  
20 States; or

21 (C) a qualified alien or nonimmigrant under the  
22 Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.) who  
23 is legally present in the United States.

24 (e) A state agency shall also submit the report required  
25 under Subsection (c)(15) to the lieutenant governor, speaker of the  
26 house of representatives, and members of the legislature.

27 SECTION 2. The changes in law made by this Act to Section

H.B. No. 276

1 2101.0115, Government Code, apply only in relation to an  
2 application for a service or benefit that is made on or after the  
3 effective date of this Act.

4 SECTION 3. This Act takes effect September 1, 2009.