

By: Solomons

H.B. No. 11

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the duty of a local law enforcement agency to verify the
3 immigration status of certain arrested persons by use of the
4 federal Secure Communities program.

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

6 SECTION 1. Chapter 2, Code of Criminal Procedure, is
7 amended by adding Article 2.252 to read as follows:

8 Art. 2.252. VERIFICATION OF IMMIGRATION STATUS OF PERSON
9 CHARGED WITH COMMITTING OFFENSE. (a) A local law enforcement
10 agency that has custody of a person who has been arrested and
11 transported to a place of detention shall verify the immigration
12 status of the person by use of the federal Secure Communities
13 program operated by United States Immigration and Customs
14 Enforcement or a successor program.

15 (b) A local law enforcement agency is not required to
16 conduct an immigration status verification under Subsection (a) of
17 a person who is transferred to the custody of the agency by another
18 law enforcement agency if the transferring agency, before
19 transferring custody of the person, conducted an immigration status
20 verification under Subsection (a).

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect on the 91st day after the last day of the
2 legislative session.