

## **BILL ANALYSIS**

S.B. 838  
By: Lucio  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerned parties recall that Texas recently experienced an unprecedented immigrant-driven humanitarian crisis that was disproportionately shouldered by Texas' two southernmost counties. These parties believe that revising state law relating to the functions of the Office of Immigration and Refugee Affairs, the Governor's Advisory Committee on Immigration and Refugees, and the secretary of state and relating to the use of the state's disaster contingency fund for immigration and refugee purposes would help prevent another humanitarian crisis. S.B. 838 seeks to provide for these revisions.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 838 amends the Government Code to require the Office of Immigration and Refugee Affairs to work in conjunction with the secretary of state's office and to require the office and the secretary of state to enter into a memorandum of understanding that clearly defines the responsibilities of each office. The bill requires the secretary of state, on behalf of the Office of Immigration and Refugee Affairs, to arrange meetings with appropriate local, state, and federal authorities and the appropriate corresponding international authorities, including authorities in Mexico, to develop increased communication, cooperation, and coordination to establish initiatives and government-supported efforts that limit the entrance of unlawful aliens into Texas. The bill authorizes the governor, if the governor by proclamation determines that a mass influx of unlawful aliens has created a state of humanitarian crisis, to use money in the state's disaster contingency fund to, in coordination with the immigration and refugee coordinator for the office, provide assistance to state agencies, local governments, nonprofit organizations, and faith-based organizations to alleviate the costs associated with addressing the crisis.

S.B. 838 revises the composition of the Governor's Advisory Committee on Immigration and Refugees by replacing one of the three members who are representatives from voluntary resettlement agencies that receive state or federal funds with a member who is a representative from a faith-based organization that assists local governments with matters related to immigrants and refugees, requires the governor to appoint the committee members as provided by the bill not later than January 1, 2016, to terms expiring February 1, 2017, and re-creates the committee on the date of those appointments. The bill removes the specification that the term for serving as committee chair be a one-year term and removes references to specific federal programs in

statutory provisions relating to the committee's duties to advise, assist, and make recommendations to the Office of Immigration and Refugee Affairs with regard to immigration and refugee issues. The bill exempts the committee from statutory provisions relating to the date on which certain state agency advisory committees are abolished.

**EFFECTIVE DATE**

September 1, 2015.