

By: Lucio

S.B. No. 838

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the functions of the Office of Immigration and Refugee
3 Affairs, the Governor's Advisory Committee on Immigration and
4 Refugees, and the use of the state's disaster contingency fund for
5 purposes related to immigration and refugees.

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

7 SECTION 1. Section 418.073, Government Code, is amended by
8 adding Subsection (i) to read as follows:

9 (i) Money in the disaster contingency fund may be used to
10 provide assistance for relief of a humanitarian crisis in
11 accordance with Section 752.009(b).

12 SECTION 2. Section 752.001, Government Code, is amended to
13 read as follows:

14 Sec. 752.001. OFFICE OF IMMIGRATION AND REFUGEE AFFAIRS.

15 (a) The Office of Immigration and Refugee Affairs is [created]
16 within the Health and Human Services Commission [Texas Department
17 of Human Services].

18 (b) The office shall work in conjunction with the office of
19 the secretary of state. The office and the secretary of state shall
20 enter into a memorandum of understanding that clearly defines the
21 responsibilities of each office under this subchapter.

22 SECTION 3. Subchapter A, Chapter 752, Government Code, is
23 amended by adding Section 752.0075 to read as follows:

24 Sec. 752.0075. INTERNATIONAL MEETINGS. The secretary of

1 state, on behalf of the office, shall arrange meetings with
2 appropriate local, state, and federal authorities and the
3 appropriate corresponding international authorities, including
4 authorities in Mexico, to develop increased communication,
5 cooperation, and coordination to establish initiatives and
6 government-supported efforts that limit the entrance of unlawful
7 aliens into this state.

8 SECTION 4. Section 752.009, Government Code, is amended to
9 read as follows:

10 Sec. 752.009. FUNDING. (a) Except for any unspent
11 appropriations transferred under this Act or any gifts, grants, or
12 donations accepted under this Act, the Office of Immigration and
13 Refugee Affairs may use only federal funds to perform the duties
14 prescribed by this Act.

15 (b) If the governor by proclamation determines that a mass
16 influx of unlawful aliens has created a state of humanitarian
17 crisis, the governor may use the state's disaster contingency fund
18 to, in coordination with the immigration and refugee coordinator
19 for the office, provide assistance to state agencies, local
20 governments, nonprofit organizations, and faith-based
21 organizations to alleviate the costs associated with addressing the
22 crisis.

23 SECTION 5. Section 752.021, Government Code, is amended to
24 read as follows:

25 Sec. 752.021. GOVERNOR'S ADVISORY COMMITTEE ON IMMIGRATION
26 AND REFUGEES. The Governor's Advisory Committee on Immigration and
27 Refugees is created within the office of the governor. The

1 committee shall advise and make recommendations to the Office of
2 Immigration and Refugee Affairs on immigration and refugee issues,
3 including [~~the SLIAC program authorized by the Immigration Reform~~
4 ~~and Control Act of 1986 (8 U.S.C. Section 1101 et seq.) and the~~
5 refugee assistance programs [~~authorized by the Refugee Act of 1980~~
6 ~~(8 U.S.C. Section 1521 et seq.)~~].

7 SECTION 6. Sections 752.022(a) and (c), Government Code,
8 are amended to read as follows:

9 (a) The committee is composed of 12 members appointed by the
10 governor with the advice and consent of the senate as follows:

11 (1) two representatives of the refugee population;

12 (2) two representatives of the immigrant population;

13 (3) three representatives of local provider programs
14 that serve immigrants or refugees and that receive federal funds,
15 with one each from a public health program, a public assistance
16 program, and an education program;

17 (4) one representative [~~three representatives~~] from a
18 faith-based organization that assists local governments with
19 matters related to immigrants and refugees;

20 (5) two representatives from voluntary resettlement
21 agencies that receive state or federal funds;

22 (6) [~~5~~] one representative from a legal
23 organization that is involved in issues relating to immigrants or
24 refugees; and

25 (7) [~~6~~] one representative from a service
26 organization that works with immigrants or refugees.

27 (c) The governor shall appoint a member of the committee to

1 serve as the chair of the committee [~~for a one-year term~~].

2 SECTION 7. Subchapter B, Chapter 752, Government Code, is
3 amended by adding Section 752.0231 to read as follows:

4 Sec. 752.0231. OTHER LAW. Section 2110.008 does not apply
5 to the committee.

6 SECTION 8. Section 752.024, Government Code, is amended to
7 read as follows:

8 Sec. 752.024. FUNCTIONS OF COMMITTEE. The committee shall:

9 (1) advise and make recommendations to the Office of
10 Immigration and Refugee Affairs regarding policy, planning, and
11 priorities for matters related to immigrants and refugees [~~the~~
12 ~~SLIAC program and refugee assistance programs~~];

13 (2) advise and make recommendations to the Office of
14 Immigration and Refugee Affairs regarding coordination of the
15 efforts of all public agencies involved in health, human services,
16 and education matters that relate to federal immigration and
17 refugee laws and rules [~~or implementation of the SLIAC program or~~
18 ~~refugee assistance programs~~];

19 (3) encourage communication and cooperation among
20 local agencies and programs, state agencies, immigration-related
21 and refugee-related legal and service agencies, and the federal
22 government;

23 (4) assist the Office of Immigration and Refugee
24 Affairs in applying for the maximum amount of federal funds
25 available for immigrant-related [~~SLIAC-related~~] programs and
26 activities and refugee-related programs and activities and in
27 identifying local programs and costs relating to immigration or

1 refugees for which the state or a political subdivision may receive
2 reimbursement;

3 (5) provide information to programs and activities
4 that serve and encourage legalization and education of residents of
5 this state;

6 (6) review issues related to immigrants and refugees
7 [~~federal issues regarding the SLIAC program and refugee assistance~~
8 ~~programs~~] and make recommendations to the Office of Immigration and
9 Refugee Affairs to encourage the development of a state response to
10 those [~~federal~~] issues;

11 (7) [~~review and make recommendations to the Office of~~
12 ~~Immigration and Refugee Affairs and state agencies to ensure that~~
13 ~~the system of fiscal and program operations for the SLIAC program~~
14 ~~and refugee assistance programs is consistent with existing state~~
15 ~~and federal requirements,~~

16 [~~(8)~~] assist the Office of Immigration and Refugee
17 Affairs in the development of an annual report on the status of
18 matters related to immigrants and refugees [~~the SLIAC program and~~
19 ~~refugee assistance programs~~] in the state;

20 (8) [~~(9)~~] advise and make recommendations to the
21 Office of Immigration and Refugee Affairs on other related matters
22 as directed by the governor; and

23 (9) [~~(10)~~] assist the Office of Immigration and
24 Refugee Affairs to better address issues related to immigrants and
25 refugees confronting the state and local communities [~~in the~~
26 ~~development of a spending plan for fiscal years 1993 and 1994~~
27 ~~proposing spending priorities for SLIAC funds for services to~~

1 ~~eligible legalized aliens and for other federal funds available to~~
2 ~~benefit immigrants or refugees in the state].~~

3 SECTION 9. (a) Not later than January 1, 2016, the
4 governor shall appoint the members of the Governor's Advisory
5 Committee on Immigration and Refugees as provided by Section
6 752.022(a), Government Code, as amended by this Act. The committee
7 is re-created on the date the governor makes the appointments as
8 provided by this subsection.

9 (b) Notwithstanding Section 752.022(b), Government Code,
10 the terms of the members of the advisory committee appointed as
11 provided by Subsection (a) of this section expire February 1, 2017.

12 SECTION 10. This Act takes effect September 1, 2015.