

By: Hinojosa

S.B. No. 1354

A BILL TO BE ENTITLED

AN ACT

relating to state border security activities.

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

SECTION 1. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0203 to read as follows:

Sec. 411.0203. SOUTH TEXAS BORDER CRIME INFORMATION CENTER.

(a) The department, with assistance from a municipal police department and a county sheriff's department, shall establish and operate the South Texas Border Crime Information Center as a central repository of information relating to criminal activity in the counties along the Texas-Mexico border. The center shall be located in the county of the sheriff's department assisting the department in establishing and operating the center.

(b) Each law enforcement agency in a county located along the Texas-Mexico border shall report to the South Texas Border Crime Information Center information regarding criminal activity in the law enforcement agency's jurisdiction, including information on kidnappings, home invasions, and incidents of impersonation of law enforcement officers.

(c) The department shall make the information in the South Texas Border Crime Information Center available to each law enforcement agency in the state.

(d) The commission shall adopt rules concerning the collection and distribution of sensitive law enforcement

1 information under this section.

2 (e) This section applies only to a county that:

3 (1) is located on the Texas-Mexico border;

4 (2) has a population of 750,000 or more; and

5 (3) is adjacent to two or more counties each of which  
6 has a population of 50,000 or more.

7 SECTION 2. Section 421.0025, Government Code, is  
8 transferred to Subchapter B, Chapter 421, Government Code,  
9 redesignated as Section 421.0255, Government Code, and amended to  
10 read as follows:

11 Sec. 421.0255 [421.0025]. BORDER SECURITY ADVISORY  
12 COUNCIL. (a) The Border Security Advisory Council consists of:

13 (1) the executive head of each state agency receiving  
14 state appropriations for purposes related to security at or near  
15 this state's international border, or the executive head's  
16 designee;

17 (2) representatives of at least three local  
18 governmental entities receiving local border security grant  
19 funding from the Department of Public Safety, appointed by the  
20 governor, or, if fewer than three entities receive that grant  
21 funding, representatives of at least one-third of the entities that  
22 receive that grant funding, appointed by the governor; and

23 (3) at least three mayors of municipalities in which  
24 state appropriations for purposes related to security at or near  
25 this state's international border are spent, appointed by the  
26 governor, or representatives designated by those mayors [~~members~~  
27 ~~appointed by the governor~~].

1       ~~[(a-1) At least one-third of the members appointed under~~  
2 ~~Subsection (a) must be residents of the Texas-Mexico border region,~~  
3 ~~as defined by Section 2056.002.]~~

4       (b) The Border Security Advisory Council shall develop and  
5 recommend to the Homeland Security Council ~~[office of the governor]~~  
6 performance standards, reporting requirements, audit methods, and  
7 other procedures to ensure that funds allocated ~~[by the office of~~  
8 ~~the governor]~~ for purposes related to security at or near this  
9 state's international border are used properly and that the  
10 recipients of the funds are accountable for the proper use of the  
11 funds. The advisory council shall publish on the office of the  
12 governor's website the recommendations made to the Homeland  
13 Security Council under this subsection.

14       (c) The Border Security Advisory Council shall advise the  
15 Homeland Security Council ~~[office of the governor]~~ regarding the  
16 allocation of funds ~~[by the office]~~ for purposes related to  
17 security at or near this state's international border.  
18 Recommendations relating to the allocation of those funds must be  
19 made by a majority of the members of the advisory council.

20       (d) The governor shall designate one member of the Border  
21 Security Advisory Council as the chair. The chair shall arrange  
22 meetings of the Border Security Advisory Council at times  
23 determined by the members of the advisory council.

24       (e) The meetings of the Border Security Advisory Council are  
25 subject to the requirements of Chapter 551 to the same extent as  
26 similar meetings of the Public Safety Commission. The plans and  
27 recommendations of the Border Security Advisory Council are subject

1 to the requirements of Chapter 552 to the same extent as similar  
2 plans and recommendations of the Department of Public Safety of the  
3 State of Texas.

4 (f) Service on the Border Security Advisory Council by a  
5 state officer or employee or by an officer or employee of a local  
6 government is an additional duty of the member's office or  
7 employment.

8 SECTION 3. Section 421.026, Government Code, is amended to  
9 read as follows:

10 Sec. 421.026. REPORT. The council shall annually submit to  
11 the governor a report stating:

12 (1) the status and funding of state programs designed  
13 to detect and deter homeland security emergencies, including the  
14 status and funding of counterterrorism efforts;

15 (2) recommendations on actions to reduce threats to  
16 homeland security, including threats related to terrorism; ~~and~~

17 (3) recommendations for improving the alert,  
18 response, and recovery capabilities of state and local agencies;  
19 and

20 (4) an assessment of the performance of, reporting  
21 requirements for, and allocation of state agency funding for this  
22 state's border security activities.

23 SECTION 4. (a) The positions of the members of the Border  
24 Security Council are abolished on the effective date of this Act.

25 (b) As soon as practicable on or after the effective date of  
26 this Act, the governor shall appoint members of the Border Security  
27 Advisory Council under Sections 421.0255(a)(2) and (3), Government

1 Code, as transferred, redesignated, and amended by this Act.

2 SECTION 5. This Act takes effect September 1, 2015.