

1 AN ACT

2 relating to making supplemental appropriations relating to border
3 security and giving direction regarding those appropriations.

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

5 SECTION 1. OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL
6 COUNCIL. (a) The amount of \$32,486,125 is appropriated from the
7 general revenue fund to the Office of Court Administration, Texas
8 Judicial Council for the purpose of providing funding for indigent
9 legal representation, foreign language interpreters for courts,
10 increased staff functions, equipment purchases, and program
11 administration costs during the two-year period beginning on the
12 effective date of this Act.

13 (b) During the two-year period beginning on the effective
14 date of this Act, in addition to the number of full-time equivalent
15 (FTE) employees other law authorizes the office to employ during
16 that period, the Office of Court Administration, Texas Judicial
17 Council may employ out of money appropriated by Subsection (a) of
18 this section six full-time equivalent (FTE) employees.

19 (c) Out of money appropriated by Subsection (a) of this
20 section, the Office of Court Administration, Texas Judicial Council
21 shall transfer \$905,200 to the Comptroller's Department, Judiciary
22 Section for the purpose of providing funding for visiting judges.

23 SECTION 2. MILITARY DEPARTMENT. The amount of \$301,007,231
24 is appropriated from the general revenue fund to the Military

1 Department for the purpose of providing funding for additional
2 personnel to support border security operations during the two-year
3 period beginning on the effective date of this Act.

4 SECTION 3. DEPARTMENT OF PUBLIC SAFETY. (a) The amount of
5 \$133,506,725 is appropriated from the general revenue fund to the
6 Department of Public Safety for the purpose of providing funding
7 for 52 weeks of Operation Lone Star surge costs incurred during the
8 two-year period beginning on the effective date of this Act.

9 (b) The amount of \$3,411,000 is appropriated from the
10 general revenue fund to the Department of Public Safety for the
11 purpose of providing funding to purchase tactical marine unit
12 vessels during the two-year period beginning on the effective date
13 of this Act.

14 (c) The amount of \$17,872,349 is appropriated from the
15 general revenue fund to the Department of Public Safety for the
16 purpose of providing funding for additional full-time equivalent
17 (FTE) employees during the two-year period beginning on the
18 effective date of this Act.

19 (d) During the two-year period beginning on the effective
20 date of this Act, in addition to the number of full-time equivalent
21 (FTE) employees other law authorizes the department to employ
22 during that period, the Department of Public Safety may employ out
23 of money appropriated by Subsection (c) of this section 79
24 full-time equivalent (FTE) employees.

25 SECTION 4. DEPARTMENT OF CRIMINAL JUSTICE. The amount of
26 \$273,700,000 is appropriated from the general revenue fund to the
27 Department of Criminal Justice for the purpose of providing funding

1 for correctional security operations during the two-year period
2 beginning on the effective date of this Act.

3 SECTION 5. COMMISSION ON JAIL STANDARDS. (a) The amount of
4 \$214,785 is appropriated from the general revenue fund to the
5 Commission on Jail Standards for the purpose of providing funding
6 to pay additional full-time equivalent (FTE) employees, increased
7 employee overtime compensation costs, and increased travel
8 expenses during the two-year period beginning on the effective date
9 of this Act.

10 (b) During the two-year period beginning on the effective
11 date of this Act, in addition to the number of full-time equivalent
12 (FTE) employees other law authorizes the commission to employ
13 during that period, the Commission on Jail Standards may employ out
14 of money appropriated by Subsection (a) of this section three
15 full-time equivalent (FTE) employees.

16 SECTION 6. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE
17 GOVERNOR. (a) The amount of \$1,020,290,860 is appropriated from
18 the general revenue fund to the Trusteed Programs within the Office
19 of the Governor for the purpose of providing funding for border
20 security operations through the making of border security grants
21 during the two-year period beginning on the effective date of this
22 Act.

23 (b) The money appropriated by Subsection (a) of this section
24 may not be used to:

25 (1) acquire property through the exercise of eminent
26 domain; or

27 (2) build a barrier along this state's international

1 border with Mexico on property acquired through the exercise of
2 eminent domain.

3 (c) The amount of \$3,765,000 is appropriated from the
4 general revenue fund to the Trusteed Programs within the Office of
5 the Governor for the purpose of providing funding for additional
6 full-time equivalent (FTE) employees and for additional training
7 regarding the handling of misdemeanor and felony crimes for
8 eligible prosecuting attorneys, as defined by Section 772.0071(a),
9 Government Code, during the two-year period beginning on the
10 effective date of this Act.

11 (d) Out of money appropriated by Subsection (a) of this
12 section, the amount of \$14,000,000 in each state fiscal year of the
13 state fiscal biennium beginning September 1, 2021, may be used only
14 to provide funding for grants to counties adjacent to this state's
15 international border with Mexico to cover those counties' costs for
16 additional law enforcement personnel and equipment, overtime pay
17 for law enforcement personnel, and other expenses related to
18 non-citizens held in county jail facilities, and for non-citizen
19 autopsies.

20 SECTION 7. DEPARTMENT OF STATE HEALTH SERVICES. (a) The
21 amount of \$5,450,976 is appropriated from the general revenue fund
22 to the Department of State Health Services for the purpose of
23 purchasing ambulance services during the two-year period beginning
24 on the effective date of this Act.

25 (b) The amount of \$10,901,952 is appropriated from the
26 general revenue fund to the Department of State Health Services for
27 the purpose of purchasing ambulance services for use at two border

1 security processing centers during the two-year period beginning on
2 the effective date of this Act.

3 SECTION 8. BORDER SECURITY REPORTING REQUIREMENT. (a) In
4 this section, "border security" means activities associated with
5 deterring crimes and enforcing state laws related to offenses
6 listed in Section 772.0071, Government Code, hunting and fishing
7 laws related to poaching, laws for which this state receives
8 federal grants intended to enhance law enforcement, or laws that
9 relate to federal law enforcement operations, between designated
10 entry and exit points in counties:

11 (1) adjacent to or a portion of which are located
12 within 20 miles of an international border;

13 (2) adjacent to two counties located on an
14 international border with a population of more than 5,000 and less
15 than 7,500 according to the most recent federal decennial census;

16 (3) adjacent to the Gulf Intracoastal Waterway, as
17 defined by Section 51.002, Transportation Code; or

18 (4) included in a disaster declaration relating to
19 border security issued by the governor.

20 (b) The Department of Public Safety, Military Department,
21 Trusteed Programs within the Office of the Governor, Department of
22 Criminal Justice, Commission on Jail Standards, and Office of Court
23 Administration, Texas Judicial Council, shall report all budgeted
24 and expended amounts and performance indicator results for border
25 security to the Legislative Budget Board.

26 (c) The entities described by Subsection (b) of this section
27 shall provide the report required by that subsection on a quarterly

1 basis and in the manner prescribed by the Legislative Budget Board.

2 Each report must include, at a minimum:

3 (1) expended amounts and performance indicators for
4 activities related to enforcing laws described by Subsection (a) of
5 this section that occur:

6 (A) in each county described by Subsection (a) of
7 this section as well as for statewide activities that support
8 border security; or

9 (B) in any geographic region outside of the
10 counties described by Subsection (a) of this section, as requested,
11 such as areas identified as smuggling corridors;

12 (2) the method of finance of budgeted and expended
13 amounts;

14 (3) the object of expense of budgeted and expended
15 amounts;

16 (4) regular and overtime pay;

17 (5) the quarterly total number of border
18 security-related apprehensions and arrests made by state law
19 enforcement personnel deployed to geographic regions included in
20 the areas described by Subsection (a) of this section, including
21 the number of minors apprehended;

22 (6) the total quarterly number of individuals
23 undergoing magistration, prosecution, or conviction for state
24 crimes related to border security;

25 (7) the total quarterly number of individuals confined
26 to state correctional facilities converted by the Department of
27 Criminal Justice to confine those accused of state crimes related

1 to border security;

2 (8) the quarterly total length, expressed in miles,
3 and type of temporary and permanent fencing, barrier, or wall
4 erected along the international border with Mexico; and

5 (9) the quarterly total number and amount of grants
6 issued by the Trusteed Programs within the Office of the Governor to
7 local jurisdictions and counties included in the area described by
8 Subsection (a) of this section.

9 SECTION 9. EFFECTIVE DATE. This Act takes effect
10 immediately.

President of the Senate

Speaker of the House

I certify that H.B. No. 9 was passed by the House on August 30, 2021, by the following vote: Yeas 85, Nays 36, 1 present, not voting; passed subject to the provisions of Article III, Section 49a, of the Constitution of the State of Texas.

Chief Clerk of the House

I certify that H.B. No. 9 was passed by the Senate on September 1, 2021, by the following vote: Yeas 23, Nays 8; passed subject to the provisions of Article III, Section 49a, of the Constitution of the State of Texas.

Secretary of the Senate

I certify that the amounts appropriated in the herein H.B. No. 9, 2nd Called Session of the 87th Legislature, are within amounts estimated to be available in the affected fund.

Certified _____

Comptroller of Public Accounts

APPROVED: _____

Date

Governor