

By: White

H.B. No. 139

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the inclusion of plans in the governor's homeland
3 security strategy for the protection of this state's international
4 border through the enforcement of federal immigration laws.

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

6 SECTION 1. Section 421.002, Government Code, is amended by
7 adding Subsection (b-1) to read as follows:

8 (b-1) The specific plans for protecting this state's
9 international border under Subsection (b)(5) must include plans for
10 state enforcement of federal immigration laws if an official of a
11 federal agency charged with enforcing federal immigration laws has
12 publicly stated that the agency is unable to enforce those laws in
13 this state or if a determination is made that the federal agency
14 charged with enforcing federal immigration laws is unable to
15 enforce those laws and that failure to enforce those laws
16 jeopardizes the security of this state. The plans must provide the
17 specific conditions and criteria that must be met before making a
18 determination described by this subsection and require that the
19 determination be published in the Texas Register. In this
20 subsection, "federal immigration laws" means federal law relating
21 to aliens, immigrants, or immigration, including the federal
22 Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.).

23 SECTION 2. This Act takes effect on the 91st day after the
24 last day of the legislative session.