

By: Fierro

H.B. No. 3352

A BILL TO BE ENTITLED

AN ACT

relating to removing the word "alien" from certain laws.

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

SECTION 1. Section 1.07, Alcoholic Beverage Code, is amended to read as follows:

Sec. 1.07. RESIDENT NONCITIZENS [~~ALIENS~~]. (a) For purposes of any provision of this code that requires an applicant for a license or permit to be a United States citizen or Texas citizen, regardless of whether it applies to an individual, a percentage of stockholders of a corporation, or members of a partnership, firm, or association, an individual who is not a United States citizen but who legally resides in the state is treated as a United States citizen and a citizen of Texas.

(b) If it is required that an individual have resided in the state for a specified period of time, a noncitizen [~~an alien~~] legally residing in the state satisfies the requirement if the noncitizen [~~he~~] has legally resided in the state for the prescribed period of time. If a noncitizen [~~an alien~~] becomes a United States citizen while residing in Texas, any continuous period of time the noncitizen [~~he~~] legally resided in the state immediately before becoming a citizen is included in computing the [~~his~~] period of continuous residence in the state.

SECTION 2. Section 54.232, Education Code, is amended to read as follows:

1 Sec. 54.232. NATO AGREEMENT. A nonimmigrant person [~~alien~~]
2 who resides in this state in accordance with the Agreement between
3 the Parties to the North Atlantic Treaty Regarding the Status of
4 Their Forces (4 U.S.T. 1792) and the spouse or children of that
5 person [~~alien~~] are considered to be residents for tuition and fee
6 purposes under this title.

7 SECTION 3. Section 157.012(c), Finance Code, is amended to
8 read as follows:

9 (c) To be eligible to be licensed as a residential mortgage
10 loan originator, the individual, in addition to meeting the
11 requirements of Subsection (a), must:

12 (1) satisfy the commissioner as to the individual's
13 honesty, trustworthiness, and integrity;

14 (2) not be in violation of this chapter, Chapter 180,
15 or any rules adopted under this chapter or Chapter 180;

16 (3) provide the commissioner with satisfactory
17 evidence that the individual meets the qualifications provided by
18 Chapter 180; and

19 (4) be a citizen of the United States or a lawfully
20 admitted immigrant [~~alien~~].

21 SECTION 4. Section 423.0045(a)(3), Government Code, is
22 amended to read as follows:

23 (3) "Detention facility" means a facility operated by
24 or under contract with United States Immigration and Customs
25 Enforcement for the purpose of detaining noncitizens [~~aliens~~] and
26 placing them in removal proceedings.

27 SECTION 5. Sections 531.024182(a), (b), (c), and (d),

1 Government Code, are amended to read as follows:

2 (a) In this section, "sponsored noncitizen [~~alien~~]" means a
3 person who has been lawfully admitted to the United States for
4 permanent residence under the Immigration and Nationality Act (8
5 U.S.C. Section 1101 et seq.) and who, as a condition of admission,
6 was sponsored by a person who executed an affidavit of support on
7 behalf of the person.

8 (b) If, at the time of application for benefits, a person
9 stated that the person is a sponsored noncitizen [~~alien~~], the
10 commission may, to the extent allowed by federal law, verify
11 information relating to the sponsorship, using an automated system
12 or systems where available, after the person is determined eligible
13 for and begins receiving benefits under any of the following
14 benefits programs:

15 (1) the child health plan program under Chapter 62,
16 Health and Safety Code;

17 (2) the financial assistance program under Chapter 31,
18 Human Resources Code;

19 (3) Medicaid; or

20 (4) the supplemental nutrition assistance program
21 under Chapter 33, Human Resources Code.

22 (c) If the commission verifies that a person who receives
23 benefits under a program listed in Subsection (b) is a sponsored
24 noncitizen [~~alien~~], the commission may seek reimbursement from the
25 person's sponsor for benefits provided to the person under those
26 programs to the extent allowed by federal law, provided the
27 commission determines that seeking reimbursement is

1 cost-effective.

2 (d) If, at the time a person applies for benefits under a
3 program listed in Subsection (b), the person states that the person
4 is a sponsored noncitizen [~~alien~~], the commission shall make a
5 reasonable effort to notify the person that the commission may seek
6 reimbursement from the person's sponsor for any benefits the person
7 receives under those programs.

8 SECTION 6. Section 752.004, Government Code, is amended to
9 read as follows:

10 Sec. 752.004. APPLICATION FOR AND DISTRIBUTION OF FEDERAL
11 FUNDS. The office shall apply for the maximum amount of federal
12 funds available through the Immigration Reform and Control Act of
13 1986 (8 U.S.C. Section 1101 et seq.) and the Refugee Act of 1980 (8
14 U.S.C. Section 1521 et seq.). The office shall apply for those
15 funds and shall distribute the funds to agencies responsible for
16 providing services to persons newly granted legal status [~~legalized~~
17 ~~aliens~~] and refugees in accordance with federal law. The office may
18 retain a portion of the federal funds to cover reasonable costs
19 incurred in securing and administering the funds. The office may
20 delegate to an appropriate state agency the administration of funds
21 under this section.

22 SECTION 7. Section 752.024, Government Code, is amended to
23 read as follows:

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

25 (1) advise and make recommendations to the Office of
26 Immigration and Refugee Affairs regarding policy, planning, and
27 priorities for the SLIAG program and refugee assistance programs;

1 (2) advise and make recommendations to the Office of
2 Immigration and Refugee Affairs regarding coordination of the
3 efforts of all public agencies involved in health, human services,
4 and education matters that relate to federal immigration and
5 refugee laws and rules or implementation of the SLIAG program or
6 refugee assistance programs;

7 (3) encourage communication and cooperation among
8 local agencies and programs, state agencies, immigration-related
9 and refugee-related legal and service agencies, and the federal
10 government;

11 (4) assist the Office of Immigration and Refugee
12 Affairs in applying for the maximum amount of federal funds
13 available for SLIAG-related programs and activities and
14 refugee-related programs and activities and in identifying local
15 programs and costs relating to immigration or refugees for which
16 the state or a political subdivision may receive reimbursement;

17 (5) provide information to programs and activities
18 that serve and encourage legalization and education of residents of
19 this state;

20 (6) review federal issues regarding the SLIAG program
21 and refugee assistance programs and make recommendations to the
22 Office of Immigration and Refugee Affairs to encourage the
23 development of a state response to federal issues;

24 (7) review and make recommendations to the Office of
25 Immigration and Refugee Affairs and state agencies to ensure that
26 the system of fiscal and program operations for the SLIAG program
27 and refugee assistance programs is consistent with existing state

1 and federal requirements;

2 (8) assist the Office of Immigration and Refugee
3 Affairs in the development of an annual report on the status of the
4 SLIAG program and refugee assistance programs in the state;

5 (9) advise and make recommendations to the Office of
6 Immigration and Refugee Affairs on other related matters as
7 directed by the governor; and

8 (10) assist the Office of Immigration and Refugee
9 Affairs in the development of a spending plan for fiscal years 1993
10 and 1994 proposing spending priorities for SLIAG funds for services
11 to eligible persons granted legal status [~~legalized aliens~~] and for
12 other federal funds available to benefit immigrants or refugees in
13 the state.

14 SECTION 8. Section 12.0127(a), Health and Safety Code, is
15 amended to read as follows:

16 (a) The department, in accordance with 8 U.S.C. Section
17 1182(e), as amended, under exceptions provided by 8 U.S.C. Section
18 1184(l), as amended, may request waiver of the foreign country
19 residence requirement for a qualified [~~alien~~] physician who agrees
20 to practice medicine in a medically underserved area or health
21 professional shortage area, as designated by the United States
22 Department of Health and Human Services, that has a current
23 shortage of physicians.

24 SECTION 9. Sections 61.008(a) and (c), Health and Safety
25 Code, are amended to read as follows:

26 (a) The executive commissioner by rule shall provide that in
27 determining eligibility:

1 (1) a county may not consider the value of the
2 applicant's homestead;

3 (2) a county must consider the equity value of a car
4 that is in excess of the amount exempted under department
5 guidelines as a resource;

6 (3) a county must subtract the work-related and child
7 care expense allowance allowed under department guidelines;

8 (4) a county must consider as a resource real property
9 other than a homestead and, except as provided by Subsection (b),
10 must count that property in determining eligibility;

11 (5) if an applicant transferred title to real property
12 for less than market value to become eligible for assistance under
13 this chapter, the county may not credit toward eligibility for
14 state assistance an expenditure for that applicant made during a
15 two-year period beginning on the date on which the property is
16 transferred; and

17 (6) if an applicant is a sponsored immigrant [~~alien~~],
18 a county may include in the income and resources of the applicant:

19 (A) the income and resources of a person who
20 executed an affidavit of support on behalf of the applicant; and

21 (B) the income and resources of the spouse of a
22 person who executed an affidavit of support on behalf of the
23 applicant, if applicable.

24 (c) In this section, "sponsored immigrant [~~alien~~]" means a
25 person who has been lawfully admitted to the United States for
26 permanent residence under the Immigration and Nationality Act (8
27 U.S.C. Section 1101 et seq.) and who, as a condition of admission,

1 was sponsored by a person who executed an affidavit of support on
2 behalf of the person.

3 SECTION 10. Section 61.012, Health and Safety Code, is
4 amended to read as follows:

5 Sec. 61.012. REIMBURSEMENT FOR SERVICES. (a) In this
6 section, "sponsored immigrant [~~alien~~]" means a person who has been
7 lawfully admitted to the United States for permanent residence
8 under the Immigration and Nationality Act (8 U.S.C. Section 1101 et
9 seq.) and who, as a condition of admission, was sponsored by a
10 person who executed an affidavit of support on behalf of the person.

11 (b) A public hospital or hospital district that provides
12 health care services to a sponsored immigrant [~~alien~~] under this
13 chapter may recover from a person who executed an affidavit of
14 support on behalf of the sponsored immigrant [~~alien~~] the costs of
15 the health care services provided [~~to the alien~~].

16 (c) A public hospital or hospital district described by
17 Subsection (b) must notify a sponsored immigrant [~~alien~~] and a
18 person who executed an affidavit of support on behalf of the
19 sponsored immigrant [~~alien~~], at the time the immigrant [~~alien~~]
20 applies for health care services, that a person who executed an
21 affidavit of support on behalf of a sponsored immigrant [~~alien~~] is
22 liable for the cost of health care services provided [~~to the alien~~].

23 SECTION 11. Section 5.005, Property Code, is amended to
24 read as follows:

25 Sec. 5.005. NONCITIZENS [~~ALIENS~~]. A noncitizen [~~An alien~~]
26 has the same real and personal property rights as a United States
27 citizen.

1 SECTION 12. Section 23.56, Tax Code, is amended to read as
2 follows:

3 Sec. 23.56. LAND INELIGIBLE FOR APPRAISAL AS OPEN-SPACE
4 LAND. Land is not eligible for appraisal as provided by this
5 subchapter if:

6 (1) the land is located inside the corporate limits of
7 an incorporated city or town, unless:

8 (A) the city or town is not providing the land
9 with governmental and proprietary services substantially
10 equivalent in standard and scope to those services it provides in
11 other parts of the city or town with similar topography, land
12 utilization, and population density;

13 (B) the land has been devoted principally to
14 agricultural use continuously for the preceding five years; or

15 (C) the land:

16 (i) has been devoted principally to
17 agricultural use or to production of timber or forest products
18 continuously for the preceding five years; and

19 (ii) is used for wildlife management;

20 (2) the land is owned by an individual who is a
21 nonresident immigrant [~~alien~~] or by a foreign government if that
22 individual or government is required by federal law or by rule
23 adopted pursuant to federal law to register [~~his~~] ownership or
24 acquisition of that property; or

25 (3) the land is owned by a corporation, partnership,
26 trust, or other legal entity if the entity is required by federal
27 law or by rule adopted pursuant to federal law to register its

1 ownership or acquisition of that land and a nonresident immigrant
2 [~~alien~~] or a foreign government or any combination of nonresident
3 immigrant [~~aliens~~] and foreign governments own a majority interest
4 in the entity.

5 SECTION 13. This Act takes effect September 1, 2021.