

Amend **SB 324** (senate committee printing) as follows:

(1) In SECTION 8 of the bill (page 3, line 33), strike ", 2264.102,".

(2) Strike SECTION 10 of the bill (page 3, lines 42 through 44) and substitute the following:

SECTION 10. Sections 2264.102, Government Code, 53.003, Labor Code, and 181.002, Local Government Code, as added by this Act, apply beginning on the earlier of:

(1) the 90th day after the date on which the executive director of the Texas Workforce Commission publishes, in the manner provided by Section 752.104, Government Code, as added by this Act, a notice of the executive director's determination under that section that the number of guest workers working in the state under a guest worker program established under Subchapter D, Chapter 752, Government Code, as added by this Act, is sufficient to adequately address the state's workforce needs; or

(2) September 1, 2029.

(3) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS and cross-references to those SECTIONS accordingly:

SECTION \_\_\_\_\_. Chapter 752, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. TEMPORARY GUEST WORKER PROGRAM

Sec. 752.101. DEFINITIONS. In this subchapter:

(1) "Program" means the temporary guest worker program established under this subchapter.

(2) "United States nonimmigrant visa" means a visa issued by the federal government as provided in 8 U.S.C. Sections 1101 and 1184.

Sec. 752.102. FEDERAL AUTHORIZATION; MEMORANDUM OF UNDERSTANDING. (a) The governor shall seek from the appropriate federal agency a waiver or other authorization necessary to establish and implement a temporary guest worker program in this state under this subchapter.

(b) On receipt of federal authorization under Subsection (a) and subject to that authorization and Section 752.103, the governor may negotiate and enter into a memorandum of understanding

with the government of a state in Mexico to create a temporary guest worker program under which businesses in this state may obtain legal foreign temporary guest workers through use of United States nonimmigrant visas.

Sec. 752.103. REQUIREMENTS FOR PROGRAM AND MEMORANDUM OF UNDERSTANDING. (a) Under a memorandum of understanding entered into under Section 752.102, the governor may commit this state to work directly with officials of the government of the Mexican state selected for the program to encourage, facilitate, and support the migration of legal Mexican temporary guest workers from the Mexican state to this state for the purpose of filling jobs in this state.

(b) The program and memorandum of understanding must be compatible with the Immigration and Nationality Act, 8 U.S.C. Section 1101 et seq., and federal policies, procedures, and requirements for issuing United States nonimmigrant visas to Mexicans qualified to participate in the program.

Sec. 752.104. ANNUAL EVALUATION; DETERMINATION. (a) In this section:

(1) "Commission" means the Texas Workforce Commission.

(2) "Executive director" means the executive director of the commission.

(b) Except as otherwise provided by this subsection, the executive director annually shall evaluate guest worker participation in the program to determine whether a sufficient number of guest workers are working in this state under the program to adequately address the state's workforce needs. This subsection does not apply if the executive director has previously:

(1) made an affirmative determination under this subsection; and

(2) published notice of the determination in accordance with Subsection (c).

(c) If the executive director makes an affirmative determination under Subsection (b), the commission shall publish notice of the determination in the Texas Register.

(d) This section expires September 1, 2029.

SECTION \_\_\_\_\_. Section 2264.102, Government Code, as added

by this Act, applies only in relation to a contract for which the request for bids or proposals or other applicable expression of interest is made public on or after the date determined or described by Section 10 of this Act.

SECTION \_\_\_\_\_. As soon as practicable after the effective date of this Act, the governor shall seek from the appropriate federal agency a waiver or other authorization necessary to establish a temporary guest worker program in this state, as required by Section 752.102, Government Code, as added by this Act.

SECTION \_\_\_\_\_. The executive director of the Texas Workforce Commission shall conduct an initial evaluation under Section 752.104, Government Code, as added by this Act, not later than September 1, 2026.