

BILL ANALYSIS

H.B. 2308
By: Morales, Eddie
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that, beginning in 2021, Texas border communities were at the forefront of a mass immigration into the United States, requiring action through the implementation of Operation Lone Star. H.B. 2308, the Texas Commission on Border Security and Illegal Immigration Act, seeks to identify more targeted approaches to border security appropriations and legislative recommendations by establishing an 11-member commission tasked with conducting certain immigration-related reviews and studies, developing a list of infrastructure projects supporting border security, developing a state plan to address certain immigration topics and making related recommendations, and advising the governor and the legislature on proposed legislation related to border security and illegal immigration if requested to do so.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2308 amends the Government Code to establish the Texas Commission on Border Security and Illegal Immigration as an advisory commission composed of 11 members as follows:

- the lieutenant governor or the lieutenant governor's designee;
- the speaker of the house of representatives or the speaker's designee;
- the governor or the governor's designee;
- the attorney general or the attorney general's designee;
- the comptroller of public accounts or the comptroller's designee;
- three members of the house of representatives appointed by the speaker of the house of representatives, not more than two of whom may be from the same political party; and
- three members of the senate appointed by the lieutenant governor, not more than two of whom may be from the same political party.

The bill requires the governor or the governor's designee or, at the discretion of the governor, the lieutenant governor or the lieutenant governor's designee to serve as presiding officer of the commission. The bill establishes that a vote of the majority of the commission members present when a quorum is present is an action of the commission, and that a commission member is not entitled to compensation for the member's service but may receive per diem and travel expenses in accordance with the General Appropriations Act.

H.B. 2308 requires the office of the governor to staff the commission and requires the commission to do the following:

- meet at least quarterly and at other times at the call of the presiding officer;
- conduct a thorough review of the economic, legal, cultural, and educational impact of illegal immigration on the state and its political subdivisions;
- conduct a thorough examination of state and federal laws relating to immigration, migration, and guest worker programs;
- conduct a thorough review of state laws impacting illegal immigration;
- develop a comprehensive list of infrastructure projects supporting border security in counties on the Texas-Mexico border;
- study the impact of a state migrant worker program on providing employees to industries most in need of skilled or unskilled migrant labor;
- develop a comprehensive, coordinated, and sustainable state plan to address the following:
 - illegal immigration and the influx of illegal immigration in Texas;
 - immigration and the use of migrant workers in Texas; and
 - integration of immigrants with Texas residents;
- recommend to the governor and the legislature administrative and legislative actions necessary to implement the state plan described by these provisions:
 - consistent with the respective constitutional powers, rights, and responsibilities of the United States and of Texas; and
 - necessary to protect the health, safety, and welfare of Texas residents; and
- to encourage a comprehensive, coordinated, and sustainable state response to issues related to immigration, advise the governor and the legislature on proposed legislation related to border security and illegal immigration on request of any of the following individuals:
 - the governor;
 - the lieutenant governor;
 - the speaker of the house of representatives;
 - a member of the minority party in the senate chosen by the senators who are members of that party; or
 - a member of the minority party in the house of representatives chosen by the representatives who are members of that party.

H.B. 2308 authorizes the commission to do the following:

- request a state agency to provide to the commission available agency information the commission considers necessary to discharge the commission's duties under the bill's provisions;
- in performing the commission's powers and duties, invite testimony from the governor, legislators, state agencies, and members of the public;
- consult with experts or other knowledgeable public or private individuals on any matter related to the commission's powers and duties; and
- hold one or more public hearings the commission considers advisable and in locations in Texas the commission selects to afford interested persons an opportunity to appear and present views on any subject relating to the commission's powers and duties.

The bill requires a state agency to cooperate with the commission to provide the information requested under the bill's provisions to the extent not inconsistent with law, within the limits of the agency's statutory authority, and timely as necessary to accomplish the bill's purposes.

H.B. 2308 requires the commission to do the following:

- report annually to the legislature and governor on commission activities and recommendations;
- submit an initial report to the legislature and governor not later than six months after the date of the first commission meeting;

- submit its first annual report to the legislature and governor not later than six months after the date the initial report is submitted, or as soon as practicable after that date; and
- provide to members of the public on request any report submitted under these provisions.

The bill's provisions relating to the initial report and the first annual report submitted by the commission expire January 1, 2028.

H.B. 2308 defines "state agency" as a department, board, commission, office, or other agency in the executive, legislative, or judicial branch of state government, including a public institution of higher education.

EFFECTIVE DATE

September 1, 2025.