

By: Schatzline

H.B. No. 1491

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to agreements between counties and United States  
3 Immigration and Customs Enforcement to enforce federal immigration  
4 law.

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

6 SECTION 1. Subchapter Z, Chapter 351, Local Government  
7 Code, is amended by adding Section 351.905 to read as follows:

8 Sec. 351.905. IMMIGRATION LAW ENFORCEMENT AGREEMENTS;  
9 INJUNCTION; DENIAL OF STATE GRANT FUNDS. (a) The commissioners  
10 court of each county shall request and, as offered, enter into a  
11 written agreement with United States Immigration and Customs  
12 Enforcement under Section 287(g), Immigration and Nationality Act  
13 (8 U.S.C. Section 1357(g)), to authorize officers and employees of  
14 the county to enforce federal immigration law.

15 (b) An agreement entered into under this section must  
16 include the scope, duration, and limitations of the authority.

17 (c) The attorney general may bring an action against a  
18 county that fails to comply with Subsection (a) in a district court  
19 in Travis County for appropriate injunctive relief.

20 (d) The attorney general may recover reasonable expenses  
21 incurred in obtaining relief under Subsection (c), including court  
22 costs, reasonable attorney's fees, investigative costs, witness  
23 fees, and deposition costs.

24 (e) A county may not receive state grant funds, and state

1 grant funds for the county shall be denied, for the state fiscal  
2 year following the year in which a final judicial determination in  
3 an action brought under Subsection (c) is made that the county has  
4 failed to comply with Subsection (a).

5 (f) The comptroller shall adopt rules to implement  
6 Subsection (e) uniformly among the state agencies from which state  
7 grant funds are distributed to a county.

8 SECTION 2. As soon as practicable after the effective date  
9 of this Act, the commissioners court of each county shall comply  
10 with Section 351.905, Local Government Code, as added by this Act.

11 SECTION 3. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2025.