

By: Kerwin

H.B. No. 2390

A BILL TO BE ENTITLED

AN ACT

relating to agreements between municipalities and counties and United States Immigration and Customs Enforcement to enforce federal immigration law.

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

SECTION 1. Chapter 370, Local Government Code, is amended by adding Section 370.010 to read as follows:

Sec. 370.010. IMMIGRATION LAW ENFORCEMENT AGREEMENTS; INJUNCTION; DENIAL OF STATE GRANT FUNDS. (a) The governing body of each municipality and the commissioners court of each county shall request and, as offered, enter into a written agreement with United States Immigration and Customs Enforcement under Section 287(g), Immigration and Nationality Act (8 U.S.C. Section 1357), to authorize officers and employees of the municipality or county to enforce federal immigration law.

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

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

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

1 (e) A municipality or county may not receive state grant
2 funds, and state grant funds for the municipality or county shall be
3 denied, for the state fiscal year following the year in which a
4 final judicial determination in an action brought under Subsection
5 (c) is made that the municipality or county has failed to comply
6 with Subsection (a).

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

10 SECTION 2. As soon as practicable after the effective date
11 of this Act, the governing body of each municipality and the
12 commissioners court of each county shall comply with Section
13 370.010, Local Government Code, as added by this Act.

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