

By: Money

H.B. No. 4364

A BILL TO BE ENTITLED

AN ACT

relating to the collection of remittance transfer fees for use in enhancing border security; authorizing a fee; providing a civil penalty.

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

SECTION 1. Subtitle Z, Title 3, Finance Code, is amended by adding Chapter 282 to read as follows:

CHAPTER 282. REMITTANCE TRANSFER FEE

Sec. 282.001. DEFINITIONS. In this chapter:

(1) "Remittance transfer" has the meaning assigned by Section 4A.108, Business & Commerce Code.

(2) "Remittance transfer provider" means a financial institution or other person that provides a remittance transfer for a consumer in the normal course of the person's or financial institution's business.

Sec. 282.002. REMITTANCE TRANSFER FEE. (a) A remittance transfer provider who provides a remittance transfer to a recipient located outside of the United States shall collect from the consumer who made the transfer a fee in an amount equal to five percent of the amount of the remittance transfer.

(b) The fees collected under Subsection (a) shall be remitted to the comptroller for deposit in the border security enhancement fund under Subchapter W, Chapter 411, Government Code.

Sec. 282.003. CIVIL PENALTY. (a) A remittance transfer

provider who knowingly fails to collect a fee in violation of  
Section 282.002(a) shall be liable to this state for a civil penalty  
in an amount not to exceed the greater of:

(1) \$500,000; or

(2) twice the amount of the remittance transfer for  
which the provider failed to collect the fee.

(b) The attorney general may file suit to collect the  
penalty.

SECTION 2. Chapter 411, Government Code, is amended by  
adding Subchapter W to read as follows:

SUBCHAPTER W. BORDER SECURITY ENHANCEMENT

Sec. 411.801. DEFINITION. In this subchapter, "fund" means  
the border security enhancement fund.

Sec. 411.802. BORDER SECURITY ENHANCEMENT FUND. (a) The  
border security enhancement fund is a special fund in the state  
treasury outside the general revenue fund to be administered by the  
department under this subchapter and rules adopted by the  
commission under this subchapter.

(b) The fund consists of money collected under Chapter 282,  
Finance Code, for deposit to the credit of the fund.

Sec. 411.803. FUND INTEREST. The comptroller shall deposit  
to the credit of the economic stabilization fund the interest and  
other earnings made on the balance of the border security  
enhancement fund.

Sec. 411.804. USE OF FUND. Money in the fund may be  
appropriated to the department only for the following activities  
for the purposes of preventing illegal entry into the United States

1 of aliens without official approval of an appropriate federal  
2 governmental authority, terrorists, instruments of terrorism, and  
3 contraband, including narcotics and other controlled substances:

4 (1) employing and training:

5 (A) border security personnel; and

6 (B) officers and staff employed in enforcement  
7 and removal operations; and

8 (2) planning, designing, constructing, and  
9 maintaining along this state's international border:

10 (A) barriers and related infrastructure; and

11 (B) detention facilities for aliens without  
12 lawful immigration status.

13 Sec. 411.805. CONTRACTS AND AGREEMENTS. The department may  
14 enter into contracts and agreements as necessary to implement this  
15 subchapter.

16 Sec. 411.806. ADOPTION OF RULES. The commission shall  
17 adopt rules necessary to implement this subchapter.

18 SECTION 3. This Act takes effect September 1, 2025.