

By: Spiller

H.B. No. 5580

A BILL TO BE ENTITLED

AN ACT

relating to agreements between sheriffs and the 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 752, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. IMMIGRATION LAW ENFORCEMENT AGREEMENTS BETWEEN
SHERIFFS AND FEDERAL GOVERNMENT

Sec. 752.081. IMMIGRATION ENFORCEMENT AGREEMENTS. (a) The sheriff of each county with a population of 100,000 or more shall request, and as offered, enter into a written agreement with the United States Immigration and Customs Enforcement under Section 287(g), Immigration and Nationality Act (8 U.S.C. Section 1357(g)), or an agreement under a similar federal program to authorize officers and employees of the sheriff's department to enforce federal immigration law.

(b) The sheriff of a county with a population of less than 100,000 may request, and as offered, enter into a written agreement with the United States Immigration and Customs Enforcement under Section 287(g), Immigration and Nationality Act (8 U.S.C. Section 1357(g)), or an agreement under a similar federal program to authorize officers and employees of the sheriff's department to enforce federal immigration law.

1 (c) An agreement entered into under this section must
2 include the scope, duration, and limitations of the authority to
3 enforce federal immigration law.

4 (d) A sheriff who enters into an agreement under this
5 section shall allocate the necessary resources, including
6 personnel and funding, to ensure the proper implementation of the
7 agreement, including the resources necessary to meet any reasonable
8 objectives for enforcement set forth in the agreement.

9 (e) The sheriff of a county with a population of 100,000 or
10 more who requested but was not offered a written agreement under
11 this section shall make additional requests to enter into a written
12 agreement under this section at least once annually after each
13 request is made.

14 Sec. 752.082. GRANT PROGRAM FOR SHERIFFS OF CERTAIN
15 COUNTIES IMPLEMENTING IMMIGRATION ENFORCEMENT AGREEMENT. (a) In
16 this section, "grant" means a grant authorized to be awarded by the
17 comptroller under the grant program established by this section.

18 (b) From any money appropriated or otherwise available for
19 this purpose, the comptroller shall establish and administer a
20 competitive grant program to support the state purpose of assisting
21 sheriffs serving counties participating in agreements in which
22 officers and employees of the sheriffs' departments are authorized
23 to enforce federal immigration law.

24 (c) A sheriff is eligible to apply for a grant under this
25 section if the sheriff serves a county that has a population of less
26 than one million and has entered into an agreement under Section
27 752.081. The application must include a detailed plan on how the

1 sheriff intends to implement and sustain the sheriff's
2 participation in the agreement.

3 (d) On approval of an application submitted under
4 Subsection (c) and using any money available to the comptroller for
5 this purpose, the comptroller shall award a grant to an eligible
6 sheriff who applies for the grant. The comptroller shall award
7 grant money in a manner that fairly distributes the money among
8 sheriffs awarded grants under this section, and each award to a
9 sheriff must be proportional to the population of the county the
10 sheriff serves.

11 (e) A sheriff who is awarded a grant under this section must
12 use the grant money to pay the costs associated with participating
13 in the agreement that is the subject of the grant that are not
14 reimbursed by the federal government. Grant money may only be spent
15 over a two-year period on:

16 (1) compensation for peace officers participating in
17 the agreement;

18 (2) generating and delivering reports required by the
19 agreement, including reports required by this subchapter;

20 (3) equipment for peace officers related to the
21 agreement, including the cost of repairing or replacing equipment
22 required, but not provided, under the agreement;

23 (4) attendance by a peace officer at any training or
24 other event required under the agreement; and

25 (5) other expenses associated with participating in
26 the agreement as determined by the comptroller.

27 (f) The comptroller shall adopt rules necessary to

implement this section, including rules that establish:

(1) a standardized application process, including the form to be used to apply for a grant and the manner of submitting the form;

(2) deadlines for:

(A) applying for the grant;

(B) submitting detailed documentation necessary to demonstrate the sheriff's costs in participating in the agreement that is the subject of the grant at least once each quarter;

(C) distributing grant money; and

(D) spending grant money; and

(3) procedures for:

(A) monitoring the distribution of grant money to ensure compliance with this section; and

(B) returning grant money that was not used by a sheriff for a purpose authorized by this section.

(g) The comptroller may accept gifts, grants, and donations to establish and administer the grant program under this section.

(h) In relation to money received from a grant awarded to a sheriff under this section, the commissioners court of the county the sheriff serves may not reduce the appropriation to the sheriff's department in response to the sheriff receiving the grant.

Sec. 752.083. REPORTING AND ACCOUNTABILITY. (a) A sheriff who has entered into an agreement under Section 752.081 shall annually submit a written report to the comptroller and the

1 attorney general. The report must provide details on the sheriff's
2 activities, expenditures, and outcomes related to the agreement.

3 (b) The sheriff of a county with a population of 100,000 or
4 more who has not entered into an agreement under Section 752.081
5 shall annually provide proof to the attorney general of the
6 sheriff's attempt to enter into the agreement.

7 (c) The comptroller, in collaboration with the attorney
8 general, shall prepare an annual written report on participation in
9 agreements entered into under Section 752.081 and submit the report
10 to the governor, lieutenant governor, and speaker of the house of
11 representatives. The report must include:

12 (1) a summary of the sheriff reports submitted under
13 Subsection (a);

14 (2) details on the grant program established under
15 Section 752.082, including the number of sheriffs participating and
16 total amount of money distributed; and

17 (3) a summary of any enforcement actions taken by the
18 attorney general under Section 752.084.

19 Sec. 752.084. ENFORCEMENT BY ATTORNEY GENERAL. (a) The
20 attorney general may bring an action against a sheriff who fails to
21 comply with this subchapter in a district court for appropriate
22 equitable relief.

23 (b) The attorney general may recover reasonable expenses
24 incurred in obtaining relief under Subsection (a), including court
25 costs, reasonable attorney's fees, investigative costs, witness
26 fees, and deposition costs.

27 SECTION 2. Not later than December 1, 2026, the sheriff of

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1 each county with a population of 100,000 or more shall comply with
2 Section 752.081(a), Government Code, as added by this Act.

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