

1-1 By: Schwertner, Huffman, Kolthorst S.B. No. 8
1-2 (In the Senate - Filed March 5, 2025; March 6, 2025, read
1-3 first time and referred to Committee on State Affairs;
1-4 March 24, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 24, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Hughes	X			
1-10	Paxton	X			
1-11	Bettencourt	X			
1-12	Birdwell	X			
1-13	Hall	X			
1-14	Hinojosa of Nueces	X			
1-15	Middleton	X			
1-16	Parker	X			
1-17	Perry			X	
1-18	Schwertner	X			
1-19	Zaffirini			X	

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 8 By: Schwertner

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to agreements between sheriffs and the United States
1-24 Immigration and Customs Enforcement to enforce federal immigration
1-25 law.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-27 SECTION 1. Chapter 752, Government Code, is amended by
1-28 adding Subchapter D to read as follows:

1-29 SUBCHAPTER D. IMMIGRATION LAW ENFORCEMENT AGREEMENTS BETWEEN
1-30 SHERIFFS AND FEDERAL GOVERNMENT

1-31 Sec. 752.081. DEFINITION. In this subchapter, "grant"
1-32 means a grant authorized to be awarded by the comptroller under the
1-33 grant program established by Section 752.083.

1-34 Sec. 752.082. IMMIGRATION ENFORCEMENT AGREEMENTS. (a) The
1-35 sheriff of each county with a population of 100,000 or more shall
1-36 request, and as offered, enter into a written agreement with the
1-37 United States Immigration and Customs Enforcement under Section
1-38 287(g), Immigration and Nationality Act (8 U.S.C. Section 1357(g)),
1-39 or an agreement under a similar federal program to authorize
1-40 officers and employees of the sheriff's department to enforce
1-41 federal immigration law.

1-42 (b) The sheriff of a county with a population of less than
1-43 100,000 may request, and as offered, enter into a written agreement
1-44 with the United States Immigration and Customs Enforcement under
1-45 Section 287(g), Immigration and Nationality Act (8 U.S.C. Section
1-46 1357(g)), or an agreement under a similar federal program to
1-47 authorize officers and employees of the sheriff's department to
1-48 enforce federal immigration law.

1-49 (c) An agreement entered into under this section must
1-50 include the scope, duration, and limitations of the authority to
1-51 enforce federal immigration law.

1-52 (d) A sheriff who enters into an agreement under this
1-53 section shall allocate the necessary resources, including
1-54 personnel and funding, to ensure the proper implementation of the
1-55 agreement, including the resources necessary to meet any reasonable
1-56 objectives for enforcement set forth in the agreement.

1-57 (e) The sheriff of a county with a population of 100,000 or
1-58 more who requested but was not offered a written agreement under
1-59 this section shall make additional requests to enter into a written
1-60 agreement under this section at least once annually after each

2-1 request is made.

2-2 Sec. 752.083. GRANT PROGRAM: ESTABLISHMENT AND
 2-3 ADMINISTRATION. From any money appropriated or otherwise available
 2-4 for this purpose, the comptroller shall establish and administer a
 2-5 grant program to support the state purpose of assisting sheriffs
 2-6 serving counties participating in agreements in which officers and
 2-7 employees of the sheriffs' departments are authorized to enforce
 2-8 federal immigration law.

2-9 Sec. 752.084. GRANT PROGRAM: APPLICATION FOR SHERIFFS OF
 2-10 CERTAIN COUNTIES. A sheriff is eligible to apply for a grant under
 2-11 this subchapter if the sheriff serves a county that has a population
 2-12 of less than one million and has entered into an agreement under
 2-13 Section 752.082. The application must include details of the
 2-14 sheriff's department's obligations under the agreement and of the
 2-15 department's staffing resources dedicated to implementing the
 2-16 agreement and the staffing resources necessary to sustain the
 2-17 sheriff's department's participation in the agreement.

2-18 Sec. 752.085. GRANT PROGRAM: GRANT AWARD. (a) On approval
 2-19 of an application submitted under Section 752.084 and using any
 2-20 money available to the comptroller for this purpose, the
 2-21 comptroller shall award a grant to an eligible sheriff who applies
 2-22 for the grant as provided by Subsection (b).

2-23 (b) The comptroller by rule shall prescribe a procedure for
 2-24 awarding grants to each eligible sheriff who applies for a grant,
 2-25 with grant money divided among the following population tiers:

- 2-26 (1) 50,000 or less;
- 2-27 (2) at least 50,001 but not more than 99,999;
- 2-28 (3) at least 100,000 but not more than 499,999; and
- 2-29 (4) at least 500,000 but not more than one million.

2-30 (c) A sheriff who is awarded a grant under this section must
 2-31 use the grant money to pay the costs associated with participating
 2-32 in the agreement that is the subject of the grant that are not
 2-33 reimbursed by the federal government. Grant money may only be spent
 2-34 over a two-year period on:

- 2-35 (1) compensation for peace officers performing duties
 2-36 under the agreement;
- 2-37 (2) generating and delivering reports required by the
 2-38 agreement, including administrative duties required by this
 2-39 subchapter;
- 2-40 (3) equipment and related services for peace officers
 2-41 related to the agreement, including the cost of repairing or
 2-42 replacing equipment required, but not provided, under the
 2-43 agreement;
- 2-44 (4) attendance by a peace officer at any training or
 2-45 other event required under the agreement; and
- 2-46 (5) other expenses associated with participating in
 2-47 the agreement as determined by the comptroller.

2-48 Sec. 752.086. GRANT PROGRAM: COMPTROLLER POWERS AND
 2-49 DUTIES. (a) The comptroller shall adopt rules necessary to
 2-50 implement the grant program established by Section 752.083,
 2-51 including rules that establish:

2-52 (1) a standardized application process, including the
 2-53 form to be used to apply for a grant and the manner of submitting the
 2-54 form;

- 2-55 (2) deadlines for:
 - 2-56 (A) applying for the grant;
 - 2-57 (B) submitting detailed documentation necessary
 2-58 to demonstrate the sheriff's costs in participating in the
 2-59 agreement that is the subject of the grant at least annually;
 - 2-60 (C) distributing grant money; and
 - 2-61 (D) spending grant money; and

2-62 (3) procedures for:

- 2-63 (A) monitoring the distribution of grant money to
 2-64 ensure compliance with this subchapter; and

2-65 (B) returning grant money that was not used by a
 2-66 sheriff for a purpose authorized by this subchapter.

2-67 (b) The comptroller may accept gifts, grants, and donations
 2-68 to establish and administer the grant program under this
 2-69 subchapter.

(c) The comptroller by rule shall adopt a procedure for determining the period of the state fiscal year in which the comptroller expects there to be money that remains unawarded under the grant program and allowing a recipient of a grant awarded in that fiscal year to request additional grant money not to exceed any limit provided in the General Appropriations Act for the counties in the tier described by Section 752.085 applicable to the recipient.

Sec. 752.087. GRANT PROGRAM: EFFECT ON COUNTY APPROPRIATIONS. In relation to money received from a grant awarded to a sheriff under Section 752.085, 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. 752.088. REPORTING AND ACCOUNTABILITY. (a) A sheriff who has entered into an agreement under Section 752.082 shall annually submit a written report to the comptroller and the attorney general. The report must provide details on the sheriff's expenditures related to the agreement.

(b) The sheriff of a county with a population of 100,000 or more who has not entered into an agreement under Section 752.082 shall annually provide proof to the attorney general of the sheriff's attempt to enter into the agreement.

(c) The Commission on Jail Standards shall annually submit to the comptroller and attorney general a report on immigration detainers reported by each county jail in compliance with Section 511.0101(a)(1)(M).

(d) The comptroller, in collaboration with the attorney general, shall prepare an annual written report on participation in agreements entered into under Section 752.082 and submit the report to the governor, lieutenant governor, and speaker of the house of representatives. The report must include:

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

(2) details on the grant program established by Section 752.083, including the number of sheriffs participating and total amount of money distributed; and

(3) a summary of any enforcement actions taken by the attorney general under Section 752.089.

Sec. 752.089. ENFORCEMENT BY ATTORNEY GENERAL. (a) The attorney general may bring an action against a sheriff who fails to comply with this subchapter in a district court for appropriate equitable relief.

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

SECTION 2. Not later than December 1, 2026, the sheriff of each county with a population of 100,000 or more shall comply with Section 752.082(a), Government Code, as added by this Act.

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

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