

By: Schwertner

S.B. No. 658

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 250,000 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 250,000 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 250,000 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 SMALL COUNTIES
15 IMPLEMENTING IMMIGRATION ENFORCEMENT AGREEMENT. (a) In this
16 section, "grant" means a grant authorized to be awarded by the
17 attorney general under the grant program established by this
18 section.

19 (b) Only if appropriated money for this purpose, the
20 attorney general shall establish and administer a competitive grant
21 program to support the state purpose of ensuring the security of
22 this state's borders by awarding grants to reimburse eligible
23 sheriffs the costs of participating in agreements entered into
24 under Section 752.081.

25 (c) A sheriff is eligible to apply for a grant under this
26 section if the sheriff serves a county that has a population of less
27 than 250,000 and has entered into an agreement under Section

1 752.081. The application must include a detailed plan on how the
2 sheriff intends to implement and sustain the sheriff's
3 participation in the agreement.

4 (d) On approval of an application submitted under
5 Subsection (c) and using money appropriated to the attorney general
6 for this purpose, the attorney general shall award a grant to an
7 eligible sheriff who applies for the grant.

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

13 (1) stipends for employees participating in the
14 agreement;

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

17 (3) equipment related to the agreement purchased for a
18 county jail; and

19 (4) other expenses associated with participating in
20 the agreement as determined by the attorney general.

21 (f) The attorney general shall adopt rules necessary to
22 implement this section, including rules that establish:

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

26 (2) deadlines for:

27 (A) applying for the grant;

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

5 (C) distributing grant money; and

6 (D) spending grant money; and

7 (3) procedures for:

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

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

12 Sec. 752.083. REPORTING AND ACCOUNTABILITY. (a) A sheriff
13 who has entered into an agreement under Section 752.081 shall
14 annually submit a written report to the attorney general. The
15 report must provide details on the sheriff's activities,
16 expenditures, and outcomes related to the agreement.

17 (b) The sheriff of a county with a population of 250,000 or
18 more who has not entered into an agreement under Section 752.081
19 shall annually provide proof to the attorney general of the
20 sheriff's attempt to enter into the agreement.

21 (c) The attorney general shall prepare an annual written
22 report on participation in agreements entered into under Section
23 752.081 and submit the report to the governor, lieutenant governor,
24 and speaker of the house of representatives. The report must
25 include:

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

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

4 (3) a summary of any enforcement actions taken under
5 Section 752.084.

6 Sec. 752.084. ENFORCEMENT BY ATTORNEY GENERAL. (a) The
7 attorney general may bring an action against a sheriff who fails to
8 comply with this subchapter in a district court in Travis County for
9 appropriate equitable relief.

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

14 SECTION 2. Not later than December 1, 2026, the sheriff of
15 each county with a population of 250,000 or more shall comply with
16 Section 752.081(a), Government Code, as added by this Act.

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