

By: Middleton

S.B. No. 1005

A BILL TO BE ENTITLED

AN ACT

relating to a political subdivision's authority to use public money in the provision of legal services for individuals unlawfully present in the United States.

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. PROHIBITED IMMIGRATION ASSISTANCE

Sec. 752.101. DEFINITION. In this subchapter, "governmental entity" means:

(1) a board, commission, council, department, or other agency in the executive branch of state government that is created by constitution or statute, including an institution of higher education as defined by Section 61.003, Education Code; or

(2) a political subdivision of this state.

Sec. 752.102. PROHIBITION ON USE OF PUBLIC MONEY TO PROVIDE LEGAL SERVICES FOR UNLAWFULLY PRESENT INDIVIDUALS. (a) Unless required by the United States Constitution, a governmental entity may not:

(1) provide public money, including a grant award, to any person for the provision of legal services in a removal or other immigration-related civil proceeding regarding an individual who is unlawfully present in the United States according to the terms of the federal Immigration and Nationality Act (8 U.S.C. Section 1101

1 et seq.); or

2 (2) seek reimbursement from this state for an attorney
3 provided for a purpose described by Subdivision (1).

4 (b) This section does not prohibit a governmental entity
5 from providing an attorney to an indigent defendant entitled to
6 representation under Article [1.051](#), Code of Criminal Procedure.

7 SECTION 2. This Act takes effect September 1, 2025.