LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 30, 2025

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **SB8** by Schwertner (Relating to agreements between certain sheriffs and the United States Immigration and Customs Enforcement to enforce federal immigration law and a grant program to cover the costs of implementing those agreements.), **Conference Committee Report**

Estimated Two-year Net Impact to General Revenue Related Funds for SB8, Conference Committee Report: a negative impact of ($1,400,000) through the biennium ending August 31, 2027. There would be an additional indeterminate cost related to the grant program authorized by the bill which would be dependent on legislative appropriations to the Comptroller.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five- Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to *General Revenue Related Funds*
2026	($862,000)
2027	($538,000)
2028	($538,000)
2029	($538,000)
2030	($538,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from *General Revenue Fund* 1	*Change in Number of State Employees from FY 2025*
2026	($862,000)	5.0
2027	($538,000)	5.0
2028	($538,000)	5.0
2029	($538,000)	5.0
2030	($538,000)	5.0

Fiscal Analysis

Among other provisions, the bill would require the Comptroller to establish and administer a grant program to assist sheriffs participating in immigration law enforcement agreements. The Comptroller could accept gifts, grants, and donations for the grant program and would be required to make the source of these funds publicly available on the Comptroller's website.

The bill would require the sheriff of each county that operated a jail or contracts with a private vendor to operate a jail to request and enter into an immigration law enforcement agreement. Sheriffs that enter into such agreements would be eligible for a grant. Grant awards would range from $80,000 to $140,000 dependent on population tiers ranging from 99,999 or less to 1,000,000 or more. Grant funding must be used to pay the costs associated with participating in the immigration law enforcement agreement that are not reimbursed by the federal government.

The Comptroller would prepare a biennial report on sheriffs participating in agreements under the bill. The Attorney General would be authorized to bring action against a sheriff who fails to comply with the bill, including recovering reasonable expenses.

Methodology

This analysis assumes the Comptroller would require additional staff as follows to implement the bill: four Program Specialist IVs to monitor and disburse funds to county sheriff's departments throughout the state and enforce compliance and one Attorney V to provide legal support to draft and amend rules, assist with policy questions, and review the reporting requirements for the program. Costs to the Comptroller would be $538,000 and 5.0 FTEs annually.

Based on the Comptroller's analysis, according to the federal 2020 decennial census, there are 214 counties with a population of less than 100,000, 28 counties between 100,000 and 500,000, 6 counties between 500,000 and 1,000,000, and 6 counties above 1,000,000. As amounts appropriated to the Comptroller to fund the grant program are unknown, the full fiscal impact of the grant program on the state cannot be estimated.

The Office of the Attorney General assumes that any costs associated with necessary legal action could be absorbed using existing resources

Technology

This analysis assumes the Comptroller would require an estimated 2,160 programming hours to create a new grant system. This includes requirements gathering, design, and infrastructure to support the new system. Costs to the Comptroller would be $324,000 in fiscal year 2026.

Local Government Impact

Grant awards to local entities would be dependent on legislative appropriations to the Comptroller and are unknown at this time.

According to an estimate by the Texas Commission on Jail Standards, requiring sheriff's offices to enter into immigration law enforcement agreements would have a fiscal impact on local governments and county jails; however, the grant funding provided by the state should offset this impact.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 409 Commission on Jail Standards

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