

## **BILL ANALYSIS**

S.B. 1254  
By: Hall  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

To stop criminals at the border, Texas must have jurisdiction to enforce federal laws. Texas can obtain this authority through an interstate compact with at least one other state and the approval of the U.S. Congress. The U.S. Constitution recognizes the authority of the states to create an interstate compact to be validated by Congress wherein presidential approval is not required. With just congressional consent, the compact will become federal law and will grant participating states the right of relevant federal jurisdiction. S.B. 1254 authorizes the governor of Texas to coordinate and develop an interstate compact for joint action on border security among interested states in order to enable Texas and other participating states, with a greater understanding of their own needs, to better enforce the existing federal laws on border security and keep our citizens safe.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1254 amends the Government Code to authorize the governor, on the state's behalf, to coordinate, develop, and execute an interstate compact for border security among interested states and to seek the approval of the U.S. Congress for the compact. The bill requires the compact to provide for joint action among compacting states on matters that include the following:

- the operational control of Texas' border with Mexico by the total detection and apprehension or deflection of illegal aliens attempting to cross the border into Texas; and
- any other enforcement of federal immigration laws, including the detecting, apprehending, detaining, prosecuting, releasing, and monitoring of illegal aliens.

The bill establishes that the compact takes effect only if approved by the U.S. Congress not later than the 10th anniversary of the date the compact is executed by the governor. The bill defines "illegal alien" as a person who is not a citizen or national of the United States and is unlawfully present in the United States according to the terms of the federal Immigration and Nationality Act.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.