

BILL ANALYSIS

Senate Research Center

S.B. 1254
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Veteran Affairs & Border Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

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 United States Congress. Article 1, Section 10 of the United States Constitution recognizes the authority of the states to create an interstate compact to be validated by Congress (presidential approval not required). With just congressional consent, the compact will become federal law and grant participating states the right of relevant federal jurisdiction.

This bill directs the Governor of Texas to coordinate and develop an interstate compact for joint action on border security among interested states and would 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.

As proposed, S.B. 1254 amends current law relating to an interstate compact on border security and immigration enforcement.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 7, Government Code, by adding Chapter 793, as follows:

CHAPTER 793. INTERSTATE COMPACT FOR BORDER SECURITY

Sec. 793.001. DEFINITION. Defines "illegal alien."

Sec. 793.002. AUTHORITY TO EXECUTE INTERSTATE COMPACT. Requires the governor, on behalf of this state, to coordinate, develop, and execute an interstate compact for border security among interested states, and to seek the approval of the United States Congress for the compact.

Sec. 793.003. INTERSTATE COMPACT PROVISIONS. Requires that the compact required by this chapter provide for joint action among compacting states on matters that include:

- (1) the operational control of this state's border with Mexico by the total detection and apprehension or deflection of illegal aliens attempting to cross the border into this state; and
- (2) otherwise enforcing federal immigration laws, including detecting, apprehending, detaining, prosecuting, releasing, and monitoring of illegal aliens.

SECTION 2. Effective date: upon passage or September 1, 2021.