

1-1 By: Lucio S.B. No. 838
 1-2 (In the Senate - Filed February 27, 2015; March 4, 2015,
 1-3 read first time and referred to Subcommittee on Border Security;
 1-4 May 5, 2015, reported adversely, with favorable Committee
 1-5 Substitute to Committee on Veteran Affairs and Military
 1-6 Installations; May 11, 2015, reported adversely, with favorable
 1-7 Committee Substitute by the following vote: Yeas 7, Nays 0;
 1-8 May 11, 2015, sent to printer.)

1-9 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-10				
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 838 By: Lucio

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the functions of the Office of Immigration and Refugee
 1-22 Affairs, the Governor's Advisory Committee on Immigration and
 1-23 Refugees, and use of the state's disaster contingency fund for
 1-24 purposes related to immigration and refugees.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 418.073, Government Code, is amended by
 1-27 adding Subsection (i) to read as follows:

1-28 (i) Money in the disaster contingency fund may be used to
 1-29 provide assistance for relief of a humanitarian crisis in
 1-30 accordance with Section 752.009(b).

1-31 SECTION 2. Section 752.001, Government Code, is amended to
 1-32 read as follows:

1-33 Sec. 752.001. OFFICE OF IMMIGRATION AND REFUGEE AFFAIRS.
 1-34 (a) The Office of Immigration and Refugee Affairs is [created]
 1-35 within the Health and Human Services Commission [Texas Department
 1-36 of Human Services].

1-37 (b) The office shall work in conjunction with the office of
 1-38 the secretary of state. The office and the secretary of state shall
 1-39 enter into a memorandum of understanding that clearly defines the
 1-40 responsibilities of each office under this subchapter.

1-41 SECTION 3. Section 752.004, Government Code, is amended to
 1-42 read as follows:

1-43 Sec. 752.004. APPLICATION FOR AND DISTRIBUTION OF FEDERAL
 1-44 FUNDS AND FUNDING OPPORTUNITIES. (a) The secretary of state, on
 1-45 behalf of the office, shall apply for the maximum amount of federal
 1-46 funds available through the Immigration Reform and Control Act of
 1-47 1986 (Pub. L. No. 99-603), the Immigration and Nationality Act (8
 1-48 U.S.C. Section 1101 et seq.), [and] the Refugee Act of 1980 (8
 1-49 U.S.C. Section 1521 et seq.), and other federal programs, as
 1-50 appropriate, for use in assisting state agencies, local
 1-51 governments, nonprofit organizations, and faith-based
 1-52 organizations in addressing matters related to immigrants and
 1-53 refugees. The secretary of state, on behalf of the office, shall
 1-54 apply for those funds and shall distribute the funds to agencies and
 1-55 other entities responsible for providing services to immigrants,
 1-56 including newly legalized aliens, and refugees in accordance with
 1-57 federal law. The office may retain a portion of the federal funds
 1-58 to cover reasonable costs incurred in securing and administering
 1-59 the funds. The office may delegate to an appropriate state agency
 1-60 the administration of funds under this section.

2-1 (b) The secretary of state, on behalf of the office, shall
 2-2 pursue federal funding opportunities to assist state agencies,
 2-3 local governments, nonprofit organizations, and faith-based
 2-4 organizations with costs associated with addressing matters
 2-5 related to immigrants and refugees.

2-6 SECTION 4. Subchapter A, Chapter 752, Government Code, is
 2-7 amended by adding Section 752.0075 to read as follows:

2-8 Sec. 752.0075. INTERNATIONAL MEETINGS. The secretary of
 2-9 state, on behalf of the office, shall arrange meetings with
 2-10 appropriate local, state, and federal authorities and the
 2-11 appropriate corresponding international authorities, including
 2-12 authorities in Mexico, to develop increased communication,
 2-13 cooperation, and coordination to establish initiatives and
 2-14 government-supported efforts that limit the entrance of unlawful
 2-15 aliens into this state.

2-16 SECTION 5. Section 752.009, Government Code, is amended to
 2-17 read as follows:

2-18 Sec. 752.009. FUNDING. (a) Except for any unspent
 2-19 appropriations transferred under this Act or any gifts, grants, or
 2-20 donations accepted under this Act, the Office of Immigration and
 2-21 Refugee Affairs may use only federal funds to perform the duties
 2-22 prescribed by this Act.

2-23 (b) If the governor by proclamation determines that a mass
 2-24 influx of unlawful aliens has created a state of humanitarian
 2-25 crisis, the governor may use the state's disaster contingency fund
 2-26 to, in coordination with the immigration and refugee coordinator
 2-27 for the office, provide assistance to state agencies, local
 2-28 governments, nonprofit organizations, and faith-based
 2-29 organizations to alleviate the costs associated with addressing the
 2-30 crisis.

2-31 SECTION 6. Section 752.021, Government Code, is amended to
 2-32 read as follows:

2-33 Sec. 752.021. GOVERNOR'S ADVISORY COMMITTEE ON IMMIGRATION
 2-34 AND REFUGEES. The Governor's Advisory Committee on Immigration and
 2-35 Refugees is created within the office of the governor. The
 2-36 committee shall advise and make recommendations to the Office of
 2-37 Immigration and Refugee Affairs on immigration and refugee issues,
 2-38 including [~~the SLIAC program authorized by the Immigration Reform~~
 2-39 ~~and Control Act of 1986 (8 U.S.C. Section 1101 et seq.) and the~~
 2-40 ~~refugee assistance programs [authorized by the Refugee Act of 1980~~
 2-41 ~~(8 U.S.C. Section 1521 et seq.)].~~

2-42 SECTION 7. Sections 752.022(a) and (c), Government Code,
 2-43 are amended to read as follows:

2-44 (a) The committee is composed of 12 members appointed by the
 2-45 governor with the advice and consent of the senate as follows:

- 2-46 (1) two representatives of the refugee population;
- 2-47 (2) two representatives of the immigrant population;
- 2-48 (3) three representatives of local provider programs
- 2-49 that serve immigrants or refugees and that receive federal funds,
- 2-50 with one each from a public health program, a public assistance
- 2-51 program, and an education program;

2-52 (4) one representative [three representatives] from a
 2-53 faith-based organization that assists local governments with
 2-54 matters related to immigrants and refugees;

2-55 (5) two representatives from voluntary resettlement
 2-56 agencies that receive state or federal funds;

2-57 (6) [~~5~~] one representative from a legal
 2-58 organization that is involved in issues relating to immigrants or
 2-59 refugees; and

2-60 (7) [~~6~~] one representative from a service
 2-61 organization that works with immigrants or refugees.

2-62 (c) The governor shall appoint a member of the committee to
 2-63 serve as the chair of the committee [~~for a one-year term~~].

2-64 SECTION 8. Subchapter B, Chapter 752, Government Code, is
 2-65 amended by adding Section 752.0231 to read as follows:

2-66 Sec. 752.0231. OTHER LAW. Section 2110.008 does not apply
 2-67 to the committee.

2-68 SECTION 9. Section 752.024, Government Code, is amended to
 2-69 read as follows:

3-1 Sec. 752.024. FUNCTIONS OF COMMITTEE. The committee shall:
3-2 (1) advise and make recommendations to the Office of
3-3 Immigration and Refugee Affairs regarding policy, planning, and
3-4 priorities for matters related to immigrants and refugees [~~the~~
3-5 ~~SLIAC program and refugee assistance programs~~];

3-6 (2) advise and make recommendations to the Office of
3-7 Immigration and Refugee Affairs regarding coordination of the
3-8 efforts of all public agencies involved in health, human services,
3-9 and education matters that relate to federal immigration and
3-10 refugee laws and rules [~~or implementation of the SLIAC program or~~
3-11 ~~refugee assistance programs~~];

3-12 (3) encourage communication and cooperation among
3-13 local agencies and programs, state agencies, immigration-related
3-14 and refugee-related legal and service agencies, and the federal
3-15 government;

3-16 (4) assist the Office of Immigration and Refugee
3-17 Affairs in applying for the maximum amount of federal funds
3-18 available for immigrant-related [~~SLIAC-related~~] programs and
3-19 activities and refugee-related programs and activities and in
3-20 identifying local programs and costs relating to immigration or
3-21 refugees for which the state or a political subdivision may receive
3-22 reimbursement;

3-23 (5) provide information to programs and activities
3-24 that serve and encourage legalization and education of residents of
3-25 this state;

3-26 (6) review issues related to immigrants and refugees
3-27 [~~federal issues regarding the SLIAC program and refugee assistance~~
3-28 ~~programs~~] and make recommendations to the Office of Immigration and
3-29 Refugee Affairs to encourage the development of a state response to
3-30 those [~~federal~~] issues;

3-31 (7) [~~review and make recommendations to the Office of~~
3-32 ~~Immigration and Refugee Affairs and state agencies to ensure that~~
3-33 ~~the system of fiscal and program operations for the SLIAC program~~
3-34 ~~and refugee assistance programs is consistent with existing state~~
3-35 ~~and federal requirements~~;

3-36 [~~(8)~~] assist the Office of Immigration and Refugee
3-37 Affairs in the development of an annual report on the status of
3-38 matters related to immigrants and refugees [~~the SLIAC program and~~
3-39 ~~refugee assistance programs~~] in the state;

3-40 (8) [~~(9)~~] advise and make recommendations to the
3-41 Office of Immigration and Refugee Affairs on other related matters
3-42 as directed by the governor; and

3-43 (9) [~~(10)~~] assist the Office of Immigration and
3-44 Refugee Affairs to better address issues related to immigrants and
3-45 refugees confronting the state and local communities [~~in the~~
3-46 ~~development of a spending plan for fiscal years 1993 and 1994~~
3-47 ~~proposing spending priorities for SLIAC funds for services to~~
3-48 ~~eligible legalized aliens and for other federal funds available to~~
3-49 ~~benefit immigrants or refugees in the state~~].

3-50 SECTION 10. (a) Not later than January 1, 2016, the
3-51 governor shall appoint the members of the Governor's Advisory
3-52 Committee on Immigration and Refugees as provided by Section
3-53 752.022(a), Government Code, as amended by this Act. The committee
3-54 is re-created on the date the governor makes the appointments as
3-55 provided by this subsection.

3-56 (b) Notwithstanding Section 752.022(b), Government Code,
3-57 the terms of the members of the advisory committee appointed as
3-58 provided by Subsection (a) of this section expire February 1, 2017.

3-59 SECTION 11. This Act takes effect September 1, 2015.

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