

By: Berman

H.B. No. 28

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of an individual born in this state whose parents are illegal aliens to receive state benefits.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 10, Government Code, is amended by adding Subtitle H to read as follows:

SUBTITLE H. PROVISION OF PUBLIC BENEFITS

CHAPTER 2352. ELIGIBILITY FOR BENEFITS

Sec. 2352.001. DEFINITION. In this chapter, "illegal alien" means an individual who is not a citizen or national of the United States and who has entered the United States without inspection and authorization by an immigration officer.

Sec. 2352.002. APPLICABILITY. This chapter applies only to an individual:

(1) who is born in this state on or after the effective date of this chapter; and

(2) whose parents are illegal aliens at the time the individual is born.

Sec. 2352.003. ELIGIBILITY. An individual to whom this chapter applies is not entitled to and may not receive any benefit provided by this state or a political subdivision of this state, including:

(1) a grant, contract, loan, professional license, or commercial license provided by an agency of this state or a

1 political subdivision of this state or by appropriated funds of
2 this state or a political subdivision of this state;

3 (2) employment by this state or a political
4 subdivision of this state;

5 (3) a retirement payment or other benefit received on
6 account of the status of the individual as a former employee or
7 officer of this state or a political subdivision of this state;

8 (4) public assistance benefits, including welfare
9 payments, food stamps, or food assistance from this state or a
10 political subdivision of this state;

11 (5) health care or public assistance health benefits;

12 (6) disability benefits or assistance;

13 (7) public housing or public housing assistance;

14 (8) instruction in primary or secondary education;

15 (9) instruction from a public institution of higher
16 education; and

17 (10) an unemployment benefit.

18 SECTION 2. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2007.