Border Security Federal Refund Act

HB 44

Bill Analysis

School
Rio Grande City High School

Senate Committee
N/A

Senate Author
Luis Mijares

House Committee
State Affairs

House Authors
Abraham Cabello
Regina Villarreal

Lobbyist
Nicolas Guerra

Journalist
Samantha Estrada

BACKGROUND & PURPOSE

According to the governor's office, Texas has spent over $11 billion on border security through Operation Lone Star. The bill author worked with several agencies to determine that from September 2001 to present day, Texas has spent over $20 billion on border security. Maintaining the security of the border is a federal responsibility, and therefore, Texas should be reimbursed for those expenditures. This bill seeks to address this issue by requiring the comptroller of public accounts to prepare and submit to the appropriate federal government agency an invoice for reimbursement of the funds Texas has spent on border security.

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

This bill amends the Government Code, in provisions that expire August 31, 2027, to require the comptroller of public accounts, not later than the 30th day after the beginning of each state fiscal biennium, to do the following: • determine the amount of money spent by the state on border security during the preceding state fiscal biennium; • prepare an invoice requesting payment of the determined amount; and • submit the invoice to the appropriate federal governmental agency for payment. The bill requires the comptroller, for the 2026-2027 state fiscal biennium, to take these actions not later than March 1, 2027, and to determine the amount of money spent by the state on border security to be the lesser of $20 billion or the amount of money spent by the state for that purpose during the period beginning September 1, 2001, and ending December 31, 2025. This bill authorizes the comptroller to request the assistance of the Legislative Budget Board (LBB) in making such a determination and requires the LBB to provide the requested assistance. The bill requires the invoice to include the date the invoice is due, which must be at least six, but not more than eight, months after the date the invoice is submitted, and requires the comptroller to deposit the payment of an invoice paid on or before the due date in the state treasury to the credit of the general revenue fund. The bill requires the comptroller, if a submitted invoice is not timely paid, to certify the amount due as stated on the invoice to the attorney general, who is required to bring an action against the appropriate federal agency to recover the amount due as certified by the comptroller. The bill requires the comptroller to deposit any money

STUDENT LEGISLATIVE SESSION
TEXAS STATE CAPITOL
EST. 2003

School
Rio Grande City High School

Senate Committee
N/A

Senate Author
Luis Mijares

House Committee
State Affairs

House Authors
Abraham Cabello
Regina Villarreal

Lobbyist
Nicolas Guerra

Journalist
Samantha Estrada

received because of such an action in the state treasury to the credit of the general revenue fund.

EFFECTIVE DATE
January 1, 2026.