

## **BILL ANALYSIS**

C.S.H.B. 2783  
By: Howard  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerned stakeholders believe that newly arrived children and families from Central America who have been released from federal border patrol and immigration facilities into communities across Texas present one of the greatest humanitarian crises the United States has faced in recent history. These stakeholders assert that the tens of thousands of families, mostly mothers with children, and unaccompanied children from Central America who seek refuge in the United States to escape rampant violence, brutal gangs, deep poverty, and other challenges in their home countries have overwhelmed the state's capacity to provide assistance. Reports anticipate that this year will be the second-largest year on record for Central American child and family migration to the United States.

Stakeholders report that aid groups in Texas are trying to determine the needs of this vulnerable population and have discovered that only a small percentage of newly arrived children are receiving the support they need to be safe and thrive. These groups are concerned that the children are inadequately protected and may be exploited and otherwise placed at risk. These stakeholders report that the greatest challenge right now is the lack of data to document the most egregious risks facing children and mothers and that the state needs more information to help it address the crisis. C.S.H.B. 2783 seeks to establish a task force to study the crisis.

### **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**

C.S.H.B. 2783 amends the Government Code to establish the task force on asylum-seeking children to study the humanitarian and fiscal impacts of the presence of asylum-seeking children in Texas related to public education and school districts and the provision of health and human services and child protection and to produce a report outlining the status of asylum-seeking children in Texas and distribute that report to state and federal officials. The bill defines "asylum-seeking child" as a minor fleeing Central America who is seeking asylum in the United States and who has been released into a community in Texas by the Office of Refugee Resettlement or, pending an immigration hearing, United States Customs and Border Protection or United States Immigration and Customs Enforcement. The bill sets out the composition of the task force, sets out meeting requirements, and prohibits any member of the task force from receiving compensation for service on the task force. The bill authorizes the comptroller of public accounts to accept on behalf of the task force a gift, grant, or donation from any source to

carry out the bill's purposes and specifies that the comptroller is not required to convene the task force to produce the report if sufficient private gifts, grants, or donations are not available.

C.S.H.B. 2783 requires the task force, using funds gifted, granted, or donated, to partner with an independent third party to produce a report outlining the status of asylum-seeking children in Texas. The bill requires the task force to submit the report to the governor, lieutenant governor, speaker of the house of representatives, and comptroller and to also submit the report to the president of the United States, the secretary of the United States Department of Health and Human Services, the secretary of the United States Department of Education, and each member of the Texas delegation to the United States Senate and House of Representatives. The bill establishes that the task force is abolished and the bill's provisions governing the task force expire December 31, 2016. The bill requires the comptroller, not later than December 31, 2015, to convene the task force and, if the task force is convened, requires the task force to submit the required report not later than October 1, 2016.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2783 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Chapter 403, Government Code, is amended by adding Subchapter R to read as follows:

#### SUBCHAPTER R. HUMANITARIAN RELIEF REIMBURSEMENT TASK FORCE

Sec. 403.501. DEFINITIONS. In this subchapter:

(1) "Task force" means the humanitarian relief reimbursement task force.

(2) "Humanitarian relief" includes services related to public education, health and human services, and child protective services provided to a refugee child by:

(A) a state agency or entity;

(B) local governments;

(C) nonprofit and community-based organizations; and

(D) faith-based organizations.

(3) "Refugee child" means a child who has been released into communities in this state by:

(A) the Office of Refugee Resettlement; or

(B) United States Customs and Border Protection or United States Immigration and

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Chapter 403, Government Code, is amended by adding Subchapter R to read as follows:

#### SUBCHAPTER R. TASK FORCE ON ASYLUM-SEEKING CHILDREN

Sec. 403.501. DEFINITIONS. In this subchapter:

*(See subdivision (2) below.)*

(1) "Asylum-seeking child" means a minor fleeing Central America who is seeking asylum in the United States and who has been released into a community in this state by:

(A) the Office of Refugee Resettlement; or

(B) United States Customs and Border Protection or United States Immigration and

Customs Enforcement, pending an immigration hearing.

*(See Subdivision (1) above.)*

Sec. 403.502. ESTABLISHMENT; PURPOSES. The humanitarian relief reimbursement task force is established to:

(1) determine public and private costs incurred in providing humanitarian relief, including costs incurred by providing public education, health and human services, and child protective services, to refugee children; and

(2) produce a report outlining public and private costs incurred in providing humanitarian relief to refugee children and distribute that report to state and federal officials.

Sec. 403.503. COMPOSITION. The task force is composed of eight members to be appointed by the comptroller as follows:

(1) one representative of a faith-based organization providing direct humanitarian relief to refugee children in this state;

(2) one representative of a community-based organization providing direct humanitarian relief to refugee children in this state;

(3) one member who is a superintendent of a school district providing direct humanitarian relief to refugee children;

(4) one representative of a law enforcement agency;

(5) one representative of the Texas Education Agency;

(6) one representative of the Health and Human Services Commission;

(7) one representative of the comptroller; and

(8) one representative of a foundation that invests in humanitarian relief efforts for refugee children in this state.

Sec. 403.504. MEETINGS.

Sec. 403.505. COMPENSATION.

Sec. 403.506. HUMANITARIAN RELIEF REIMBURSEMENT REPORT. (a) Using funds available to the task force under Section 403.507, the task force shall partner with an independent third party to produce a

Customs Enforcement, pending an immigration hearing.

(2) "Task force" means the task force on asylum-seeking children.

Sec. 403.502. ESTABLISHMENT; PURPOSES. The task force on asylum-seeking children is established to:

(1) study the humanitarian and fiscal impacts of the presence of asylum-seeking children in this state related to:

(A) public education and school districts; and

(B) the provision of health and human services and child protection; and

(2) produce a report outlining the status of asylum-seeking children in this state and distribute that report to state and federal officials.

Sec. 403.503. COMPOSITION. The task force is composed of eight members to be appointed by the comptroller as follows:

(1) one representative of a faith-based organization providing direct services to asylum-seeking children in this state;

(2) one representative of a community-based organization providing direct services to asylum-seeking children in this state;

(3) one member who is a superintendent of a school district providing direct services to asylum-seeking children in this state;

(4) one representative of a law enforcement agency;

(5) one representative of the Texas Education Agency;

(6) one representative of the Health and Human Services Commission;

(7) one representative of the comptroller; and

(8) one representative of a foundation that invests in humanitarian relief efforts for asylum-seeking children in this state.

Sec. 403.504. MEETINGS.

Sec. 403.505. COMPENSATION.

Sec. 403.506. REPORT. (a) Using funds available to the task force under Section 403.507, the task force shall partner with an independent third party to produce a report outlining the status of asylum-seeking

report outlining the public and private costs incurred in providing humanitarian relief to refugee children that are not reimbursed by the federal government.

(b) The task force shall submit the report to the governor, lieutenant governor, speaker of the house of representatives, and comptroller. The task force shall also submit the report to the president of the United States, the secretary of the United States Department of Health and Human Services, the secretary of the United States Department of Education, and each member of the Texas delegation to the United States Senate and House of Representatives.

Sec. 403.507. GIFTS, GRANTS, AND DONATIONS.

Sec. 403.508. EXPIRATION.

SECTION 2. (a) Not later than December 31, 2015, the comptroller of public accounts shall, subject to Section 403.507, Government Code, as added by this Act, convene the task force required under Subchapter R, Chapter 403, Government Code, as added by this Act.

(b) If the comptroller of public accounts convenes the task force under Subsection (a) of this section, not later than October 1, 2016, the task force shall submit the report required under Subchapter R, Chapter 403, Government Code, as added by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

children in this state.

(b) The task force shall submit the report to the governor, lieutenant governor, speaker of the house of representatives, and comptroller. The task force shall also submit the report to the president of the United States, the secretary of the United States Department of Health and Human Services, the secretary of the United States Department of Education, and each member of the Texas delegation to the United States Senate and House of Representatives.

Sec. 403.507. GIFTS, GRANTS, AND DONATIONS.

Sec. 403.508. EXPIRATION.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.