

By: Guillen

H.B. No. 1761

A BILL TO BE ENTITLED

AN ACT

relating to the oversight of state border security activities.

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

SECTION 1. Section 421.0025, Government Code, is transferred to Subchapter B, Chapter 421, Government Code, redesignated as Section 421.0255, Government Code, and amended to read as follows:

Sec. 421.0255 [421.0025]. BORDER SECURITY ADVISORY COUNCIL. (a) The Border Security Advisory Council consists of:

(1) the executive head of each state agency receiving state appropriations for purposes related to security at or near this state's international border, or the executive head's designee;

(2) representatives of at least three local governmental entities receiving local border security grant funding from the Department of Public Safety, appointed by the governor, or, if fewer than three entities receive that grant funding, representatives of at least one-third of the entities that receive that grant funding, appointed by the governor; and

(3) at least three mayors of municipalities in which state appropriations for purposes related to security at or near this state's international border are spent, appointed by the governor, or representatives designated by those mayors ~~[members appointed by the governor]~~.

1       ~~[(a-1) At least one-third of the members appointed under~~  
2       ~~Subsection (a) must be residents of the Texas-Mexico border region,~~  
3       ~~as defined by Section 2056.002.]~~

4       (b) The Border Security Advisory Council shall develop and  
5       recommend to the Homeland Security Council ~~[office of the governor]~~  
6       performance standards, reporting requirements, audit methods, and  
7       other procedures to ensure that funds allocated ~~[by the office of~~  
8       ~~the governor]~~ for purposes related to security at or near this  
9       state's international border are used properly and that the  
10      recipients of the funds are accountable for the proper use of the  
11      funds. The advisory council shall publish on the office of the  
12      governor's website the recommendations made to the Homeland  
13      Security Council under this subsection.

14      (c) The Border Security Advisory Council shall advise the  
15      Homeland Security Council ~~[office of the governor]~~ regarding the  
16      allocation of funds ~~[by the office]~~ for purposes related to  
17      security at or near this state's international border.  
18      Recommendations relating to the allocation of those funds must be  
19      made by a majority of the members of the advisory council.

20      (d) The governor shall designate one member of the Border  
21      Security Advisory Council as the chair. The chair shall arrange  
22      meetings of the Border Security Advisory Council at times  
23      determined by the members of the advisory council.

24      (e) The meetings of the Border Security Advisory Council are  
25      subject to the requirements of Chapter 551 to the same extent as  
26      similar meetings of the Public Safety Commission. The plans and  
27      recommendations of the Border Security Advisory Council are subject

1 to the requirements of Chapter 552 to the same extent as similar  
2 plans and recommendations of the Department of Public Safety of the  
3 State of Texas.

4 (f) Service on the Border Security Advisory Council by a  
5 state officer or employee or by an officer or employee of a local  
6 government is an additional duty of the member's office or  
7 employment.

8 SECTION 2. Section 421.026, Government Code, is amended to  
9 read as follows:

10 Sec. 421.026. REPORT. The council shall annually submit to  
11 the governor a report stating:

12 (1) the status and funding of state programs designed  
13 to detect and deter homeland security emergencies, including the  
14 status and funding of counterterrorism efforts;

15 (2) recommendations on actions to reduce threats to  
16 homeland security, including threats related to terrorism; ~~and~~

17 (3) recommendations for improving the alert,  
18 response, and recovery capabilities of state and local agencies;  
19 and

20 (4) an assessment of the performance of, reporting  
21 requirements for, and allocation of state agency funding for this  
22 state's border security activities.

23 SECTION 3. (a) The positions of the members of the Border  
24 Security Council are abolished on the effective date of this Act.

25 (b) As soon as practicable on or after the effective date of  
26 this Act, the governor shall appoint members of the Border Security  
27 Advisory Council under Sections 421.0255(a)(2) and (3), Government

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1 Code, as transferred, redesignated, and amended by this Act.

2 SECTION 4. This Act takes effect September 1, 2015.