

**THE NEW YORK TIMES**

November 16, 2006

# Texas Lawmakers Put New Focus on Illegal Immigration

By RALPH BLUMENTHAL

HOUSTON, Nov. 15 — In a sign of rising passions over immigration issues, Texas lawmakers prepared for the 2007 session this week by filing a flurry of bills that would deny public assistance and other benefits to the children of illegal immigrants, tax money transfers to Mexico and the rest of Latin America and sue the federal government for the costs of state border control.

At the same time, a Dallas suburb, Farmers Branch, became the first Texas municipality to enact measures fining landlords who rent to illegal immigrants, authorizing the police to seek certification to act on behalf of the Department of Homeland Security and declaring English the city's official language.

Many of the bills are unlikely to become law, but, combined with the Farmers Branch action, they have raised questions about whether Texas, where almost a third of the population was listed as Hispanic in the 2000 census, is about to get caught up in the kinds of legal fights about illegal immigration that have occurred elsewhere.

"It's awful," said Brent A. Wilkes, the national executive director of the League of United Latin American Citizens, the nation's largest and oldest Hispanic rights group. "Texas for a long time has avoided this anti-immigrant hysteria."

But some Texas officials said the time had come for the state to crack down on illegal immigration because the federal government had chosen not to do so.

"Want to know what it's all about?" asked State Representative Burt R. Solomons, a Republican from Carrollton, outside Dallas, who introduced a bill to deny state licenses to people without proof of legal residence. "Absolute frustration."

"If they get a license or permit, they ought to be here legally," Mr. Solomons said. "What's wrong with that? I don't think it's draconian."

Mr. Solomons also filed a resolution to put the House on record, as he put it, as "demanding the federal government do what they're supposed to" to control the border with Mexico and to authorize the state attorney general to sue Washington to recoup the state's costs.

Monday was the first day members of the Texas House and Senate, who convene every two years, could file bills for the coming session. At least 9 of the first 325 or so bills, as posted on the legislative Web site, dealt with immigration.

Perhaps the most sweeping, proposed by Representative Leo Berman, a Republican from Tyler, would deny state benefits, including welfare payments, food stamps, disability payments and public housing and unemployment assistance to the children of illegal immigrants. The children, if born in the United States, are American citizens.

An earlier version of the bill would also have denied the children schooling and health care, rights affirmed as basic constitutional guarantees by a divided United States Supreme Court in 1969. Mr. Berman said he removed those provisions to gain passage of the measure in Texas with the goal of leading to another Supreme Court review.

“We want to see if that law is still applicable today,” he said. “The environment is totally changed.”

Mr. Berman also proposed a bill that would impose an 8 percent tax on electronic money transfers from immigrant workers in the state to people in Mexico and Central and South America, although it is not clear whether federal law would allow it.

Another Republican representative, Dianne White Delisi, from Temple, introduced a bill to require state agencies to report the cost of services like hospital care provided to illegal immigrants. Ms. Delisi said some figures suggested a rise of 77 percent in unpaid hospital care in Harris County, which includes Houston, over the last three years. But, she said, “the bottom line in Texas is we don’t know.”

The housing ordinance in Farmers Branch, adopted on a 5-to-0 vote by the City Council, requires landlords to demand proof of legal residency from all renters, with violations punishable by fines of \$500 per tenant for each day of violation. The preamble says the action was taken “in response to the widespread concern of future terrorist attacks following the events of Sept. 11, 2001.”

It prompted quick opposition from landlords who protested that they were ill-equipped to police the immigration status of their tenants, and from Hispanic activists who said they would challenge the measure in court.

On Tuesday, two other towns, Taneytown in central Maryland and Pahrump in southern Nevada, passed measures declaring English the official language. Hazleton, Pa., enacted a similar ordinance in July, but it has been held off pending a court challenge.