

Immigration bills dwindle at Texas Legislature

By Tim Eaton

Two years ago, state lawmakers filed about six dozen bills dealing with illegal immigration. So far this year, the count is in the single digits.

Even more remarkable is the tone of the discussion. In 2011, lawmakers spent a lot of time on Gov. Rick Perry's legislative priority to ban sanctuary cities, which ultimately failed. Some members took to the House floor to hammer home the issue of illegal immigration. Contrast that with this session. Perry didn't utter the word "immigration" once during his State of the State speech last week, and some lawmakers are talking about pushing a state guest worker program.

Immigration laws haven't changed much in the past two years, but the Legislature's sentiment certainly has, particularly among the Republican majority.

Several factors — including fewer state lawmakers with penchants for immigration proposals, movement on the long-stalled issue in Washington and the 2012 presidential election results — have contributed to a loss of appetite for state immigration control measures.

Mark Jones, a Rice University political science professor, said voters and Republican Party leaders are finally in general agreement on the issue of immigration. From top to bottom, Republicans believe that "the party needs to change its image" to be more welcoming of Hispanics and softer on immigration, Jones said.

If the GOP continues to take a hard line on immigration, Jones said, the Republican Party would jeopardize its viability in Texas as well as nationally. Any time Republicans engage too much in the immigration debate, they open themselves up to attacks by Democrats saying they are anti-Hispanic, Jones said.

State Rep. Larry Gonzales, R-Round Rock, said many members who regularly filed controversial immigration bills didn't return to the Legislature this year.

"The guys who filed that stuff aren't here," Gonzales said.

Notably absent are former Reps. Jim Jackson, R-Carrollton, Sid Miller, R-Stephenville, Burt Solomons, R-Carrollton, and Charlie Howard, R-Sugar Land. Together, those former lawmakers — all of whom retired, except Miller, who lost in a primary — filed many of the House's most notable immigration-related bills last session.

Perhaps the most significant absence is former Rep. Leo Berman, R-Tyler, who lost his primary. Berman wrote numerous anti-illegal immigration measures — including one that would restrict people who are in the country illegally to certain geographic regions — and attracted a lot of unwanted attention to Texas Republicans.

"We kept saying that is not representative of the party," Gonzales said.

Last session, Rep. Debbie Riddle, R-Tomball, camped in front of the clerk's office at the beginning of the filing period so she could get her controversial immigration bills filed early, including one that would have enacted an Arizona-style law requiring police to ask people about their immigration status. She didn't camp out this session, and she hasn't filed any immigration bills yet.

Riddle said that she hasn't had a change of heart.

“As an elected official, my No. 1 priority is to make sure that the safety and security of the people of Texas is well established,” she said. “If we don't do that — and do it well — there's really not any second priority.”

She didn't elaborate much on her statement, but Riddle promised to file border-related legislation later this session.

“I'm going to do what works,” she said.

The 2012 presidential election has played a role in muting Texas lawmakers' anti-immigration rhetoric. Mitt Romney had a weak showing with Hispanic voters, garnering an anemic 27 percent of the Hispanic vote nationally.

“The poor performance among Hispanics was a wake-up call,” Jones said.

Texas Republicans now see that if national trends continue and manifest themselves in Texas, their power here could evaporate within 10 years or so after Hispanics are expected to make up the majority of Texans.

Gonzales said the November election sent a clear signal even to rank-and-file Republican voters in Texas about the importance of toning down anti-immigration rhetoric.

“A lot of Republicans woke up on Nov. 7 and wondered what happened,” he said.

Rep. Tim Kleinschmidt, R-Lexington, who filed a failed measure in 2011 that would have required driver's license exams to be conducted in English, said his constituents just aren't calling for that kind of bill any more.

“I haven't been running into that type of request this time around,” Kleinschmidt said. “Everybody is taking a step back and taking a look at the message on illegal immigration.”

What is now becoming clear to average Republican voters has been long understood by party leaders, Jones said.

Texas Republican Party Chairman Steve Munisteri has been pushing for a state guest worker program similar to one adopted in Utah. He and Texas House Speaker Joe Straus have been

saying for months that the language and tone of much of the past legislation has offended the rapidly growing number of Latino voters.

“You have to go back to the Texas Republican Convention in June, before the election,” Straus said recently. “There were a number of us that were understanding of the awkward position that many people in this party were taking. And I salute leadership in the state Republican Party for taking it on. It has only proven even more correct with the election results.”

Straus added that he thinks the party is now the right track by reducing “the divisive rhetoric.”

Asked what he expects in terms of immigration-related legislation this session, Straus said: “I don't know if you'll see a lot. The last session, you didn't see much either. Well, you saw a lot, but nothing became law. I'm hearing a lot less divisive discussions regarding immigration and lot more positive discussions about workforce, the economy and trying to keep things on track in a state that's done pretty well in the last few years.”

For all the potential downside of illegal immigration bills in Texas, the top officials in Austin are happy to let the fight play out in Washington — a safe distance away. In the nation's capital, immigration legislation is once again on the front burner, with President Barack Obama and bipartisan groups in the House and Senate pushing various plans that range from increased border security to providing a path to citizenship for people already in the country illegally.

“It's encouraging that members of both parties in Congress are working together on something that's been at an impasse for years,” Straus said. “As a state policymaker, I welcome bipartisan solutions. And as a state policymaker in the most important border state, I'm very anxious for them to be successful this time.”

In the state Senate, the senators also seem to be fine letting Washington try to work out some sort of immigration deal.

Sen. Craig Estes, R-Wichita Falls, said there hasn't been much talk about the issue on the Senate side. “I've heard people say it's a federal issue,” Estes said.

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