



# THE COST OF ILLEGAL IMMIGRATION IN TEXAS

## Executive Summary

In July 2023, [U.S. border arrests](#) of illegal aliens along the Mexican border surged to 132,652, up from 99,539 in June. The news was so bad that the federal government [appears to have delayed](#) the release of the numbers until late Friday afternoon, August 18, 2023, when fewer people would be paying attention.

According to [Todd Bensman](#) with the Center for Immigration Studies, the surge of illegal crossings in the last few years has been caused by immigrants who “pulled the trigger on crossing journeys in direct response to immigration-related policies and court rulings that they realized were advantageous.” This points to the fact that illegal immigrants come to America for two primary reasons. First, because the United States government under the Biden Administration has essentially eliminated our national border, making the final leg of their difficult journey much easier. Second, because of the benefits of living in America instead of where they came from.

Many of the benefits illegal aliens take advantage of in the United States come from the government in the form of services and welfare. The costs of these add up very quickly for Texas taxpayers who, because they live in a border state, bear a disproportionate amount of these costs. Additionally, Texas taxpayers must pay for security at the Texas-Mexico border because the federal government has abandoned its constitutional obligations.

Government expenditures because of the presence of illegal aliens can be broken down into three general categories: education, border security and criminal justice, and medical and welfare. This paper catalogs some of these expenditures in Texas.

While the costs are, at times, difficult to quantify, they are nonetheless substantial. One group estimated the 2022 costs of illegal aliens to Texans at \$9.9 billion. Add in the children of illegal aliens, and the costs expand to \$13.3 billion. The Huffines Liberty Foundation estimates that the cost of educating illegal aliens in Texas public schools was \$6.6 billion for the 2022-23 school year. Texas’ border security costs are about \$2.6 billion, while criminal justice costs run about \$1.7 billion. These costs make it clear that the lack of control of the Texas-Mexico border by both the federal and Texas governments must be addressed.

## U.S. Supreme Court Mandate Forces Texas to Bear the Cost of Educating Illegal Aliens

In 1975, the Texas Legislature changed Texas law to allow only “children who are citizens of the United States or legally admitted aliens” to attend public schools at no cost (125). By 1980, a survey found that 45 percent of “Texas school districts with enrollments of 10,000 or more did not admit undocumented alien children even on a tuition basis.” At least one district, the Tyler Independent School District, charged \$1,000 for illegal aliens to attend school in its district.

This system changed when the U.S. Supreme Court, in 1982, invalidated the new law in a 5-4 decision. The Court’s decision, in *Plyler v. Doe*, was in response to a class action lawsuit [filed on behalf](#) of “school-age children of Mexican origin residing in Texas who could not establish that they had been legally admitted into the United States.” The five justices in the majority held that the Texas law “violates the Equal Protection Clause of the Fourteenth Amendment.”

In his dissent to the *Plyler* decision, Chief Justice Burger wrote, “the Constitution does not constitute us as ‘Platonic Guardians,’ nor does it vest in this Court the authority to strike down laws because they do not meet our standards of desirable social policy, ‘wisdom,’ or ‘common sense.’ We trespass on the assigned function of the political branches under our structure of limited and separated powers when we assume a policymaking role as the Court does today.”

## The Costs of Illegal Immigration in Texas

Regardless of which side got it right, a significant amount of the current high costs of illegal immigration to Texas taxpayers can be traced back to this decision. The higher numbers of illegal immigrants flooding the United States today have caused these costs to skyrocket. That is not the only problem, however. Because of federal constraints like *Plyler*, Texas makes little effort to find out the number of illegal aliens using Texas public services, much less how much those services cost. Some other states,

particularly California, do a much better job of tracking these numbers.

Because of this, the information available relating to Texas for determining these costs is relatively sparse. Nonetheless, there are sources of information that can help Texans better understand the costs they are bearing because of the Biden Administration’s decision to open the border—and the unwillingness of Gov. Greg Abbott to substantially address the problem.

[One source is a March 2023 study by the Federation for American Immigration Reform \(FAIR\)](#). According to the study, the total annual federal and state expenditures because of illegal immigration in the United States is \$182 billion. The net cost, after taking into account local, state, and federal taxes paid by illegal aliens (and their children) is \$150 billion annually.

The Fiscal Burden of Illegal Immigration on United States Taxpayers 2023  
State by State Costs of Illegal Immigration

State	# of Illegal Aliens	# of Illegal Aliens & their Kids	Cost Per Alien to State Taxpayers	Cost Of Illegal Aliens To State Taxpayers	Cost of Illegal Aliens & their Kids to State Taxpayers
California	3,226,000	4,373,000	\$ 7,074	\$ 22,821,903,942	\$ 30,838,201,460
Texas	2,226,000	2,992,000	\$ 4,466	\$ 9,942,111,305	\$ 13,363,340,982
Florida	1,185,000	1,595,000	\$ 5,040	\$ 5,972,788,206	\$ 8,039,322,522
New York	1,081,000	1,453,000	\$ 6,846	\$ 7,400,854,942	\$ 9,947,411,314
New Jersey	697,000	937,000	\$ 5,625	\$ 3,920,584,853	\$ 5,270,571,029
Illinois	628,000	845,000	\$ 4,636	\$ 2,911,654,025	\$ 3,917,751,037
Georgia	514,000	692,000	\$ 4,386	\$ 2,254,644,675	\$ 3,035,436,022
North Carolina	488,000	657,000	\$ 4,781	\$ 2,333,226,108	\$ 3,141,249,083
Arizona	453,000	610,000	\$ 5,230	\$ 2,369,284,949	\$ 3,190,427,856
Virginia	419,000	563,000	\$ 5,038	\$ 2,110,826,714	\$ 2,836,266,654

Source: [FAIR](#)

Looking just at Texas, FAIR estimates there were 3.2 million illegal aliens in Texas in 2022, and another 1.1 million children of illegal immigrants who may be U.S. citizens. The net cost to Texans of the 3.2 million illegal aliens in Texas last year was \$9.9 billion, according to FAIR. Including the American-born children of illegal aliens, the cost rises to \$13.3 billion.

## Education Expenditures

When it comes to spending state funds, K-12 education is by far the largest expenditure in the Texas budget. Over the next two years, Texans will spend more than close to \$160 billion to pay for their public schools—about \$80 billion a year. About half of that comes from the state budget.

Cost of Illegal Aliens in Texas Public Schools			
School Year	\$ per Student	Alien Students	Cost
2013-14	\$11,998	293,075	\$3,516,317,849
2014-15	\$12,176	310,459	\$3,780,144,725
2015-16	\$12,771	323,045	\$4,125,607,695
2016-17	\$13,242	335,255	\$4,439,446,710
2017-18	\$13,547	338,657	\$4,587,790,895
2018-19	\$13,942	355,547	\$4,957,031,627
2019-20	\$14,847	376,516	\$5,590,126,640
2020-21	\$15,713	449,765	\$7,067,160,588
2021-22	\$16,607	474,204	\$7,875,112,471
2022-23	\$14,025	474,204	\$6,650,716,710
Total			\$52,589,455,910

Sources: [TEA Financial Reports](#); [TEA Enrollment Reports](#)

The table above shows about 8 percent of the spending on public schools goes toward paying the cost of illegal aliens. In the most recent school year – 2022-23, we estimate that the cost of illegal aliens was \$6.6 billion. Over the last ten years, the cost of educating illegal aliens is about \$52 billion. Governors and mayors in many so-called “sanctuary” states and cities have complained about a few busloads of illegal aliens showing up in their states, but because Texas is a large border state, the costs of illegal immigration in Texas—including for public education—is significantly higher than all other states except for California.

The best we can do is estimate this cost because the state of Texas does not track the number of illegal aliens attending public schools. The state of Texas [does track](#) how many students are male and female. It tracks how many students are economically disadvantaged. It even tracks how many students are from each racial and ethnic group; for instance, last year, 2.8 million Texas students were Hispanic, 1.4 million were White, 681,000 were Black, and 254,000 were Asian. But as far as this researcher can tell, the Texas Education Agency does not provide information about the citizenship status or national origins of its students. In contrast, California provides at least [partial data](#) about the national origins of its students.

The estimates above are based on the number of English as a Second Language students enrolled in

Texas schools. From school years 2013-14 through 2019-20, we estimate that one-third of ESL students are illegal aliens. From 2020-21 through 2022-23, we estimate that 40% of ESL students are illegal aliens. The increase is because as illegal immigration has rapidly increased over the last few years, a greater percentage of non-English speaking students will be illegal aliens rather than, say, children born in America of illegal aliens. The cost of educating illegal aliens and the children of illegal aliens in Texas is likely to be substantially higher than the figures shown in the chart.

There are also higher education costs for illegal aliens. While the cost of attending college in Texas is subsidized for all students, historically, Texas required non-residents of Texas to pay higher tuition than in-state residents. This picture became more complicated in 2001 when the Texas Legislature passed a law allowing for in-state tuition for illegal aliens residing in Texas. Texans now pay significantly more for higher education because of this change. FAIR estimates that the in-state tuition benefit for illegal aliens costs Texans \$459 million annually (45).

### *Border Security and Criminal Justice Expenditures*

The cost of border security in Texas because of the influx of illegal aliens is very straightforward. It requires a review of the Texas budget. FAIR did an analysis of the Texas budget and identified \$2.6 billion in spending on border security (53).

Determining the cost of illegal aliens because of Texas’ criminal justice expenditures is much more challenging. There is even less information available for this than for public education.

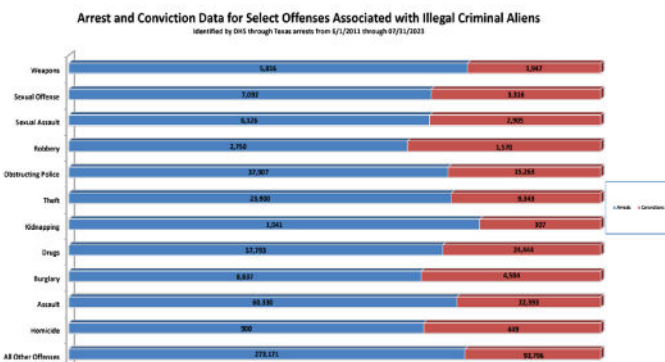
FAIR estimated that all fifty states’ total administration of justice expenditures in 2022 was \$18.9 billion. Apportioning those costs to Texas based on population suggests that Texas costs associated with illegal aliens for policing, the judiciary, and corrections in 2022 were \$1.7 billion.

Another source of these costs is the [Texas Tribune](#), “In December 2015, 9,158 Texas prisoners were

under ICE detainers, and 6,698 of them were determined by ICE to be undocumented.” At an average cost of \$22,754 per prisoner, that would add up to \$152 million a year. This is the same cost used in [a study](#) by the Texas Attorney General’s Office. This estimate seems to be low for the total cost of dealing with illegal aliens in the Texas criminal justice system when examining other available data.

A more comprehensive examination of the incarceration of illegal aliens can be found in the [Texas Criminal Illegal Alien Data](#) provided by the Texas Department of Public Safety. According to the data, “over 409,000 criminal aliens have been booked into local Texas jails between June 1, 2011, and July 31, 2023, of which over 284,000 were classified as illegal aliens by DHS.” The data also provides an accounting for illegal aliens held in state facilities. “From 2011 to date, the Department of Criminal Justice (TDCJ) has provided DPS with information on more than 31,000 individuals who were identified by DHS as in the country illegally while they were incarcerated at TDCJ.”

It is impossible to determine the costs of these incarcerations because their duration is unknown. However, if the average length of incarceration of those held in local jails is six months and at TCDJ (Texas Department of Criminal Justice) correctional facilities is two years, the cost to Texas over the 12-year period would be \$6.1 billion.



Source: [Texas Department of Public Safety](#)

Finally, the [CATO Institute](#) has compiled “Texas Department of Public Safety data to measure the rate at which individuals were convicted and arrested by crime and immigration status.” Cato’s reports cover 2015 through 2019 but do not contain data for arrests and convictions yearly. Arrests for each

year included are [2015](#): 37,776; [2017](#): 27,998; 2018: 39,941; and [2019](#): 36,454. Convictions for each year included are 2015: 15,803; [2016](#): 15,452; 2017: 16,275; [2018](#): 14,517; and 2019: 14,010.

### Medical and Welfare Expenditures

A [2020 study](#) by Rice University’s Baker Institute attempted to assess the cost of illegal immigration. One of the areas of cost it examined was health-care. It examined costs across a comprehensive set of health care services provided by Texas government in 2018. According to the study, the total cost for that year came to \$122 million. However, in a [lawsuit against the federal government](#) by the state of Texas, the [Texas Attorney General’s Office](#) discovered the annual cost of medical expenditures for illegal aliens in 2021 ranged from \$671 million to \$845 million.

Texas' Medical Expenditures for Illegal Aliens Texas Attorney General's Office 2021	
Service Area	Costs
Uncompensated Care	\$579,000,000 to \$717,000,000
Emergency Medicaid	\$62,000,000 to \$90,000,000
Children's Health Insurance Program	\$30,000,000 to \$38,000,000
<b>Total</b>	<b>\$671,000,000 to \$845,000,000</b>

The attorney general’s numbers are closer to the FAIR study, which also attempted to quantify these costs for the entire U.S. Unlike the Baker Institute study, the FAIR study included the cost of improper Medicaid payouts and Medicaid costs for children of illegal immigrants. Taking out expenditures made in other states that Texas does not make, their estimate of the total national cost of medical expenditures in 2022 was \$13.3 billion. Apportioning these costs to Texas based on population means the medical cost of illegal aliens in Texas and their children was about \$1.2 billion last year.

The information available regarding the cost of welfare expenditures for illegal aliens is perhaps

the most difficult to find. According to FAIR, total national expenditures on welfare for illegal aliens total \$1.9 billion. These come in three different categories: the Child Care and Development Fund, Temporary Assistance to Needy Families, and meals in schools. Apportioning these costs to Texas based on population comes to \$172.8 million in 2022.

## **Conclusion**

Abandoning the U.S.-Mexico border costs Texas taxpayers billions of dollars per year in expenditures by the Texas and federal governments. Despite spending over \$2 billion a year on “border security,” the state of Texas has done little to secure the Texas border. Ending these expenditures must start with reestablishing and securing the national border between the United States and Mexico, particularly in Texas.

# HUFFINES

## LIBERTY FOUNDATION



## About the Founder

### *Don Huffines*

Former Texas State Senator Donald B. Huffines is a strong Christian, proud fifth-generation Texan, husband, father, grandfather, and self-made businessman.

Don Huffines fought fearlessly for fiscal restraint and government accountability in the Texas State Senate while representing Dallas County.

During his time in the Senate from 2015 to 2019, Senator Huffines served as the Vice-Chair of the Texas Senate Border Security, Veteran Affairs, and Transportation committees. Huffines also earned a reputation as one of Texas's most conservative lawmakers.

Don Huffines founded the Huffines Liberty Foundation to promote the values we all cherish that make Texas great.

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*The Huffines Liberty Foundation is a 501(c)(3) non-profit, non-partisan research institute.*

**Our mission is to advance the cause of liberty, prosperity, and virtue in the State of Texas by educating citizens so they may hold their elected officials accountable.**

**We look beyond the obvious and develop researched solutions based upon the common sense liberty principles of individual rights, fiscal restraint, personal responsibility, limited government, and social conservatism.**

**The Huffines Liberty Foundation encourages and educates citizens so they are better informed to tackle the toughest challenges.**