

FIRST REGULAR SESSION

HOUSE BILL NO. 1163

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LUCAS.

1538H.02I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 67.307, RSMo, and to enact in lieu thereof one new section relating to municipal sanctuary policies, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 67.307, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.307, to read as follows:

67.307. 1. As used in this section, the following terms mean:

(1) "Law enforcement officer", a sheriff or peace officer of a municipality with the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of municipalities;

(2) "Municipality", any county, city, town, or village;

(3) "Municipality official", any elected or appointed official or any law enforcement officer serving the municipality;

(4) "Sanctuary policy", any municipality's order or ordinance, enacted or followed that:

(a) Limits or prohibits any municipality official or person employed by the municipality from communicating or cooperating with federal agencies or officials to verify or report the immigration status of any alien within such municipality; or

(b) Grants to illegal aliens the right to lawful presence or status within the municipality in violation of federal law.

2. No municipality shall enact or adopt any sanctuary policy. Any municipality that enacts or adopts a sanctuary policy shall **receive no state moneys of any kind and shall be ineligible** for any moneys provided through grants administered by any state agency or

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 department until the sanctuary policy is repealed or is no longer in effect. Upon the complaint
19 of any state resident regarding a specific government entity, agency, or political subdivision
20 of this state or prior to the provision of funds or awarding of any grants to a government
21 entity, agency, or political subdivision of this state, any member of the general assembly may
22 request that the attorney general of the state of Missouri issue an opinion stating whether the
23 government entity, agency, or political subdivision has current policies in contravention of
24 this section.

25 3. The governing body, sheriff, or chief of police of each municipality shall provide
26 each law enforcement officer with written notice of their duty to cooperate with state and
27 federal agencies and officials on matters pertaining to enforcement of state and federal laws
28 governing immigration.

29 4. [~~This section shall become effective on January 1, 2009~~] **A municipality official**
30 **who votes in favor of enacting or adopting any sanctuary policy prohibited under this**
31 **section commits the offense of hindering prosecution under section 575.030.**

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