

FIRST REGULAR SESSION

HOUSE BILL NO. 1051

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE THOMAS.

2367H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 67.307 and 285.550, RSMo, relating to sanctuary policies.

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

Section A. Sections 67.307 and 285.550, RSMo, are repealed, to read as follows: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 be ineligible for any moneys provided through grants administered by any state agency or department until the sanctuary policy is repealed or is no longer in effect. Upon the complaint of any state resident regarding a specific government entity, agency, or political subdivision of this state or prior to the provision of funds or awarding of any grants to a government entity, agency, or political subdivision of this state, any member of the general assembly may request that the attorney general of the state of Missouri issue an opinion stating whether~~

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.

25 ~~the government entity, agency, or political subdivision has current policies in~~
26 ~~contravention of this section.~~

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

31 ~~4. This section shall become effective on January 1, 2009.]~~

~~[285.550. If any municipal or county governing body fails to suspend~~
2 ~~the business permit, if such exists, and applicable licenses or exemptions as~~
3 ~~directed by the attorney general as a result of a violation of section 285.530 or~~
4 ~~285.535 within fifteen days after notification by the attorney general, the~~
5 ~~municipality shall be deemed to have adopted a sanctuary policy as defined in~~
6 ~~section 67.307 and shall be subject to the penalties thereunder.]~~

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