

HB 3542 -- FEDERAL IMMIGRATION AND CUSTOMS ENFORCEMENT OPERATIONS

SPONSOR: Johnson

This bill establishes the "Community Safety and Law Enforcement Integrity Act", which prohibits public funds, personnel, and facilities from being utilized to assist in the investigation, detention, or arrest of individuals for violations of Federal immigration law. No immigration enforcement agreement can be entered into and any agreement that currently exist must be terminated immediately. An entity that violates these provisions is liable for a civil penalty of \$25,000 per violation, and individuals harmed by an entity's violation can pursue a civil action against the entity to seek injunctive relief or recover damages.

The bill requires any Federal law enforcement agent performing Immigration and Customs Enforcement (ICE) operations in this State to visibly display identification while performing official duties. The agents are prohibited from wearing facial coverings that conceal or obscure their facial identity in the performance of official duties, unless otherwise authorized. This provision does not apply to agents performing undercover operations or agents assigned to a Special Response Team. A willful and knowing violation of the section is a class A misdemeanor.

The bill requires a Federal law enforcement agent performing ICE operations in this State to present a valid judicial warrant signed by a judge prior to entering a private residence or nonpublic area of business. An agent who violates this provision will be subject to trespass laws. A jail administrator or employee of a jail is prohibited from disclosing to any Federal agent performing ICE operations any information relating to an offender's release date unless the administrator or employee is presented with a valid judicial warrant signed by a judge. A person who violates this provision by revealing information will be subject to disciplinary action, including a 30-day suspension in pay, and will be subject to a \$5,000 fine.