

1 **ILLEGAL IMMIGRATION ENFORCEMENT ACT**

2 2007 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Glenn A. Donnelson**

5 Senate Sponsor: \_\_\_\_\_

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7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Public Safety Code by providing for the enforcement of federal  
10 immigration laws by certain state or local law enforcement officers.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ directs the Commissioner of the Department of Public Safety to enter into an  
15 agreement with the Secretary of Homeland Security to allow certain state or local  
16 law enforcement officers to perform certain functions of a federal immigration  
17 officer;
- 18 ▶ provides that the Commissioner of the Department of Public Safety shall ensure  
19 compliance with the agreement and the requirements of law relating to the  
20 agreement; and
- 21 ▶ provides that certain state or local law enforcement officers are authorized to  
22 enforce federal immigration law and perform certain functions of a federal  
23 immigration officer.

24 **Monies Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None



28 **Utah Code Sections Affected:**

29 ENACTS:

30 **53-15-101**, Utah Code Annotated 1953

31 **53-15-102**, Utah Code Annotated 1953

32 **53-15-103**, Utah Code Annotated 1953

33 **53-15-104**, Utah Code Annotated 1953



35 *Be it enacted by the Legislature of the state of Utah:*

36 Section 1. Section **53-15-101** is enacted to read:

37 **CHAPTER 15. ILLEGAL IMMIGRATION ENFORCEMENT ACT**

38 **53-15-101. Title.**

39 This chapter is known as the "Illegal Immigration Enforcement Act."

40 Section 2. Section **53-15-102** is enacted to read:

41 **53-15-102. Definitions.**

42 As used in this chapter:

43 (1) "Alien" is as defined in 8 U.S.C. 1101(a)(3).

44 (2) "Law enforcement officer" is as defined in Section 53-13-103.

45 Section 3. Section **53-15-103** is enacted to read:

46 **53-15-103. Agreement to enforce immigration law.**

47 The commissioner shall:

48 (1) on behalf of the state, enter into an agreement with the Secretary of Homeland  
49 Security, pursuant to 8 U.S.C. Sec. 1357(g), to allow a state or local law enforcement officer to  
50 perform a function of a federal immigration officer in relation to the investigation,  
51 apprehension, or detention of aliens in the United States; and

52 (2) ensure that the state, the political subdivisions of the state, and state and local law  
53 enforcement officers comply with the terms of the agreement described in Subsection (1) and  
54 the provisions of 8 U.S.C. Sec. 1357(g).

55 Section 4. Section **53-15-104** is enacted to read:

56 **53-15-104. Authority of a state or local law enforcement officer to enforce**  
57 **immigration law.**

58 A state or local law enforcement officer may enforce federal immigration law and

59 otherwise perform a function of a federal immigration officer if the law enforcement officer:

60 (1) is authorized to enforce federal immigration law or perform a function of a federal

61 immigration officer under:

62 (a) the agreement described in Section 53-15-103; and

63 (b) 8 U.S.C. Sec. 1357(g); and

64 (2) complies with the requirements of:

65 (a) the agreement described in Section 53-15-103; and

66 (b) 8 U.S.C. Sec. 1357(g).

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**Legislative Review Note**  
as of 1-10-07 12:31 PM

**Office of Legislative Research and General Counsel**

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**H.B. 105 - Illegal Immigration Enforcement Act**

**Fiscal Note**

2007 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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*1/22/2007, 3:00:28 PM, Lead Analyst: Ricks, G.*

**Office of the Legislative Fiscal Analyst**