

H.B. 237

ILLEGAL IMMIGRATION ENFORCEMENT ACT

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

JANUARY 30, 2008 10:56 AM

Representative **David Litvack** proposes the following amendments:

1. *Page 1, Line 25 through Page 2, Line 28:*

25 and the requirements of law in relation to the agreement; ~~{and}~~

26 ▶ provides that certain state or local law enforcement officers are authorized to

27 enforce federal immigration law and perform certain functions of a federal

28 immigration officer ~~{-}~~ ; and

▶ provides that an employing agency of a state or local law enforcement officer may be held liable for a violation of the constitutional or civil rights of a person if the law enforcement officer, while performing a function of a federal immigration officer, intentionally, knowingly, or recklessly, engages in a violation of the person's constitutional or civil rights.

2. *Page 3, Lines 70 through 78:*

70 (1) A state or local law enforcement officer may enforce federal immigration law and
71 otherwise perform a function of a federal immigration officer if the law enforcement officer:

72 ~~{(1)}~~ (a) is authorized to enforce federal immigration law or perform a function of a federal
73 immigration officer under:

74 ~~{(a)}~~ (i) an agreement described in Section 53-15-103; and

75 ~~{(b)}~~ (ii) 8 U.S.C. Sec. 1357(g); and

76 ~~{(2)}~~ (b) complies with the requirements of:

77 ~~{(a)}~~ (i) the agreement described in Subsection (1)(a); and

78 ~~{(b)}~~ (ii) 8 U.S.C. Sec. 1357(g).

(2) Notwithstanding any provision of law to the contrary, an employing agency of a state or local law enforcement officer may be held liable for a violation of the constitutional or civil rights of a person if the law enforcement officer, while performing a function of a federal immigration officer, intentionally, knowingly, or recklessly, engages in a violation of the person's constitutional or civil rights.