

H.B. 70
ILLEGAL IMMIGRATION ENFORCEMENT ACT

Representative **Stephen E. Sandstrom** proposes the following amendments:

1. Page 4, Line 108:

108 (3) "Law enforcement officer" has the same meaning as in Section 53-13-103.

(4) "Reasonable suspicion" is based on a peace officer who is acting under Subsection 76-9-1003(1) determining that a person is unable to provide any of the documents listed in Subsection 76-9-1004(1).

2. Page 5, Line 121:

121 (1)(a) ~~{When}~~ Except as provided in Subsections (1)(b), (c), or (d), any law enforcement officer acting in the enforcement of any state law or

3. Page 5, Lines 124 through 125:

124 the officer .:

(I) shall ~~{attempt to verify}~~ request verification of the citizenship or the immigration status of the person under 8 U.S.C. 1373(c), except as allowed under

125 Subsection (1)(b) ~~{or}~~ , (c) , or (d), if the alleged offense is a class A misdemeanor or a felony;
and

(ii) may attempt to verify the immigration status of the person, except as exempted under Subsections (1)(b), (c), or (d), if the alleged offense is a class B or class C misdemeanor, except that if the person is arrested and booked for a class B or C misdemeanor, the arresting law enforcement officer or the law enforcement agency booking the person shall attempt to verify the immigration status of the person .

4. Page 5, Line 130:

130 school resource officer for any elementary or secondary school.

(d) Subsection (1)(a) does not apply to a county or municipality when it has only one law enforcement officer on duty and response support from another law enforcement agency is not available.

5. Page 6, Line 159:

159 that includes photo identification; ~~{or}~~ =

6. Page 6, Line 163:

163 verification of legal presence in the United States as a condition of issuance of the document ; or
(e) a Utah permit to carry a concealed firearm .

7. Page 8, Line 217:

(c) The signature under this Subsection (1) may be executed in person or electronically.
217 ~~{(c)}~~ - ~~{(i)}~~ (d) When an applicant who is a qualified alien has executed the certificate
under this

8. Page 8, Lines 221 through 222:

221 ~~{(ii) Until eligibility verification is made, the certificate may be presumed to be proof of~~
222 ~~lawful presence for the purposes of this section.}~~

9. Page 8, Lines 237 through 240:

237 (6) If an agency under Subsection (1) ~~{determines it has reasonable suspicion}~~ receives
verification that a
238 person making an application for any benefit, service, or license ~~{has violated or attempted to~~
239 ~~violate any fraud provision of the Utah Code}~~ is not a qualified alien , the agency shall provide the
information to the
240 local law enforcement agency unless prohibited by federal mandate .