

H.B. 70

ILLEGAL IMMIGRATION ENFORCEMENT ACT

HOUSE FLOOR AMENDMENTS

AMENDMENT 4

FEBRUARY 17, 2011 5:17 PM

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

1. *Page 2, Line 31:*

31 subcontractor , except as exempted by federal law ;

2. *Page 2, Line 34:*

34 ▶ provides that a legal resident may, after establishing standing, bring action for a writ of mandamus against

3. *Page 6, Line 177*

House Committee Amendments

2-14-2011:

177 (1) A state or local governmental agency of this state, or any representative of the agency,

4. *Page 6, Line 179*

House Committee Amendments

2-14-2011:

179 ~~{(1)}~~ (a) limit or by any means restrict by ordinance, regulation, policy, practice, or in any

5. *Page 7, Line 183:*

183 ~~{(2)}~~ (b) limit or by any means restrict by ordinance, regulation, policy, practice, or in any

6. *Page 7, Lines 186 through 187:*

186 failure to personally possess an alien registration document as required by 8 U.S.C. 1304(e) or

187 1306(a).

(2) An action under Subsection (1)(a) by a state or local governmental entity or a representative of the entity shall be demonstrated to have been committed with the intent to violate this chapter in order for a cause of action to be established.

7. *Page 7, Line 209:*

209 shall comply with Section 63G-11-104 and shall also comply with this section , except when compliance is exempted by federal law or when compliance could reasonably be expected to be grounds for the federal government to withhold federal Medicaid funding .

8. Page 8, Line 234

House Committee Amendments

2-14-2011:

234 (5) (a) A legal resident of Utah who establishes standing may bring a civil action for a writ of
mandamus under

9. Page 8, Line 236

House Committee Amendments

2-14-2011:

236 and local public benefits, in violation of the provisions of this section

(b) If a party prevails in a civil action for a writ of mandamus under Subsection (5)(a), the
agency against whom the writ is issued is liable for attorney fees and court costs for the civil action

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10. Page 9, Line 247

House Committee Amendments

2-14-2011:

247 (2) (a) A legal resident of this state who establishes standing may bring an action in

11. Page 9, Line 249

House Committee Amendments

2-14-2011:

249 Subsection (1).

(b) To establish standing under this section, the complainant shall:

(i) be a legal resident of the state; and

(ii) demonstrate that the complainant is or will be directly and concretely injured by a violation of

Subsection (1).

12. Page 9, Lines 260 through 261

House Committee Amendments

2-14-2011:

260 (b) An officer under Subsection (4)(a) ~~{is not}~~ shall be indemnified ~~{if the court finds that~~
the

261 ~~officer acted in bad faith}~~ pursuant to Title 63G, Chapter 7, Governmental Immunity Act of
Utah . =

(5) This section does not apply to a discretionary decision made by a law enforcement officer
regarding the verification of immigration status of a person under Section 76-9-103 if the alleged

offense is a class B or C misdemeanor, unless the person is booked.

(6) Notice and limitation of action on a claim under this section shall be in accordance with Title 63G, Chapter 7, Governmental Immunity Act of Utah.