

HB1165/942217/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1165

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “immigration;” insert “prohibiting a government agent from detaining or questioning a person based on a certain immigration or citizenship status of the person or any other person;”; and in line 10, after the semicolon insert “providing for the scope of this Act;”.

AMENDMENT NO. 2

On page 2, in line 1, strike “(1)”; strike in their entirety lines 3 through 22, inclusive, and substitute:

“(B) (1) THIS SECTION DOES NOT PRECLUDE:

(I) QUESTIONING BY A GOVERNMENT AGENT FOR PURPOSES OF CONSULAR NOTIFICATION;

(II) A LAW ENFORCEMENT OFFICER FROM REQUESTING A FOREIGN DRIVER’S LICENSE FROM A PERSON WHEN PRESENTED WITH AN INTERNATIONAL DRIVER’S LICENSE; OR

(III) AN INQUIRY BY A JUDGE WHEN THE INQUIRY IS RELEVANT TO A DETERMINATION ON THE MERITS IN A LEGAL PROCEEDING.

(2) THIS SECTION DOES NOT APPLY TO A GOVERNMENT AGENT WHO IS ACTING IN AN OFFICIAL CAPACITY AS AGENT OR EMPLOYEE OF:

(Over)

(I) A STATE CORRECTIONAL FACILITY; OR

(II) A COUNTY OR MUNICIPALITY THAT PARTICIPATES WITH THE FEDERAL GOVERNMENT IN THE PROGRAM UNDER § 287(G) OF THE IMMIGRATION AND NATIONALITY ACT.;

and in lines 23 and 27, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively.

On page 3, after line 3, insert:

“(E) A GOVERNMENT AGENT MAY NOT DETAIN OR QUESTION A PERSON BASED ON THE ACTUAL OR PRESUMED IMMIGRATION OR CITIZENSHIP STATUS OF THE PERSON OR ANY OTHER PERSON.”;

and in line 4, strike “(D)” and substitute “(F)”.