

HOUSE BILL No. 4044

January 22, 2009, Introduced by Reps. Meltzer, Opsommer, Lund, Rogers, Moss, Agema and Knollenberg and referred to the Committee on Oversight and Investigations.

A bill to prohibit local units of government from enacting or enforcing any law, ordinance, policy, or rule that limits local officials, officers, or employees from communicating or cooperating with appropriate federal officials concerning the immigration status of individuals; to prescribe the powers and duties of certain local officers, officials, and employees; to provide for certain reporting requirements; and to prescribe penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "sanctuary policy prohibition act".

3 Sec. 3. As used in this act:

4 (a) "Governing body" means any of the following:

5 (i) The council, commission, or other entity vested with the

1 legislative power of a city or village.

2 (ii) The township board of a township or charter township.

3 (iii) The county board of commissioners of a county.

4 (b) "Local unit of government" means a county, city, village,
5 township, or charter township.

6 Sec. 5. The governing body of a local unit of government shall
7 not enact or enforce any law, ordinance, policy, or rule that
8 limits or prohibits a peace officer or local official, officer, or
9 employee from communicating or cooperating with appropriate federal
10 officials concerning the immigration status of an individual in
11 this state.

12 Sec. 7. (1) The governing body of a local unit of government
13 shall provide written notice to each peace officer, official,
14 officer, and employee in the local unit of government of his or her
15 duty to cooperate with appropriate federal and state officials
16 concerning the enforcement of federal and state immigration laws.

17 (2) The governing body of a local unit of government shall
18 provide written confirmation to the Michigan legislature that the
19 local unit of government has complied with the requirements of
20 subsection (1).

21 Sec. 9. A peace officer who has probable cause to believe that
22 an individual under arrest is not legally present in the United
23 States shall report that individual to the United States
24 immigration and customs enforcement office.

25 Sec. 11. Before March 1 of each year, the governing body of a
26 local unit of government shall report to the Michigan legislature
27 the number of reports made to the United States immigration and

1 customs enforcement office pursuant to this act.

2 Sec. 13. Notwithstanding any other provision of law to the
3 contrary, if the governing body of a local unit of government fails
4 to comply with 1 or more of the requirements of this act, the state
5 treasurer shall withhold the total annual payment amount that the
6 local unit of government receives under the Glenn Steil state
7 revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921,
8 for each year or portion of a year that the local unit of
9 government fails to comply with the requirements of this act.