

# HOUSE BILL No. 4721

June 8, 2017, Introduced by Reps. Wittenberg, Hammoud, LaGrand, Love, Neeley, Geiss, Chang, Gay-Dagnogo, Peterson, Rabhi, Cochran, Sabo, Howrylak, Byrd, Moss, Sowerby, Green, Phelps and Jones and referred to the Committee on Law and Justice.

A bill to create the immigration status inquiry and information collection act; and to prohibit certain inquiries, information collection, and the provision of information by certain individuals.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2 "immigration status inquiry and information collection act".

3       Sec. 2. As used in this act:

4       (a) "Citizenship" means the status of an individual under  
5 custom or law as being or not being a legal member of a sovereign  
6 state.

7       (b) "Employee of a health facility or agency" means an  
8 employee of a health facility or agency licensed under article 17  
9 of the public health code, 1978 PA 368, MCL 333.20101 to 333.22260.

1 (c) "Federal immigration authority" means any officer,  
2 employee, or person otherwise paid by or acting as an agent of  
3 United States Immigration and Customs Enforcement or United States  
4 Customs and Border Protection, or any division thereof, or any  
5 other officer, employee, or person otherwise paid by or acting as  
6 an agent of the United States Department of Homeland Security who  
7 is charged with immigration enforcement.

8 (d) "Law enforcement officer" means that term as defined in  
9 section 2 of the Michigan commission on law enforcement standards  
10 act, 1965 PA 203, MCL 28.602.

11 (e) "Physician or other health professional" means an  
12 individual who is licensed, registered, certified, or otherwise  
13 authorized to engage in a health profession under article 15 of the  
14 public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

15 Sec. 3. (1) Notwithstanding any other provision of law and  
16 except as otherwise provided in this subsection, a law enforcement  
17 officer, employee of a health facility or agency, or physician or  
18 other health professional shall not inquire into the immigration or  
19 citizenship status of an individual or citizen with whom he or she  
20 comes into contact as a result of engaging in his or her duties as  
21 a law enforcement officer, employee of a health facility or agency,  
22 or physician or other health professional. A law enforcement  
23 officer, employee of a health facility or agency, or physician or  
24 other health professional may inquire into the immigration or  
25 citizenship status of an individual with whom he or she comes into  
26 contact as a result of engaging in his or her duties as a law  
27 enforcement officer, employee of a health facility or agency, or

1 physician or other health professional if the inquiry relates to a  
2 legitimate law enforcement purpose that is unrelated to the  
3 enforcement of a civil immigration law, or is required by state or  
4 federal law to verify the eligibility of an individual for a  
5 benefit, service, or license.

6 (2) Notwithstanding any other provision of law, a law  
7 enforcement officer shall not voluntarily release personally  
8 identifiable data or information to a federal immigration authority  
9 regarding an individual's release date, home address, or any other  
10 information that may be used to ascertain an individual's religion,  
11 ethnicity, or race, unless the release of the data or information  
12 is for a legitimate law enforcement purpose unrelated to the  
13 enforcement of a civil immigration law.

14 (3) Notwithstanding any other provision of law, an employee of  
15 a health facility or agency or a physician or other health  
16 professional who receives information regarding an individual's  
17 immigration or citizenship status with whom he or she comes into  
18 contact as a result of engaging in his or her duties as an employee  
19 of a health facility or agency or a physician or other health  
20 professional shall treat that information confidentially in the  
21 same manner as an individual's personal and medical records as  
22 provided in section 20201(2)(c) of the public health code, 1978 PA  
23 368, MCL 333.20201.

24 Enacting section 1. This act takes effect 90 days after the  
25 date it is enacted into law.