

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS  
FISCAL IMPACT STATEMENT**

**LS 7542**

**BILL NUMBER: SB 428**

**NOTE PREPARED: Jan 6, 2025**

**BILL AMENDED:**

**SUBJECT:** Immigration matters.

**FIRST AUTHOR:** Sen. Koch

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Pending

**Summary of Legislation:** Clarifies that the enforcement of federal immigration laws may be carried out by federal, state, or local law enforcement. Removes the mens rea standard in the statute concerning governmental entities or postsecondary institutions violating the citizenship and immigration status information and enforcement of federal laws. Provides that a governmental body that has the custody of an individual who is the subject of an immigration detainer request shall: (1) provide the judge authorized to grant or deny the individual's release on bail notice that the individual is subject to an immigration detainer request; (2) record in the individual's case file that the individual is subject to an immigration detainer request; (3) comply with the immigration detainer request; and (4) inform the individual that the individual is being held pursuant to an immigration detainer request. Provides immunity to a governmental body or an employee of a governmental body for any action taken concerning an immigration detainer request. Provides that if the attorney general determines that probable cause exists that a governmental entity has not complied with an immigration detention request, the attorney general may: (1) issue a cease and desist order; (2) bring a court action to enjoin an action or practice constituting a violation of an immigration detention request or compel compliance with the immigration detention request; and (3) impose a civil penalty for noncompliance with an immigration detention request. Provides that if the attorney general determines a governmental body did not comply with an immigration detention order, upon the advice of the attorney general, the governor may order that state funding and grants be withheld from the governmental body. Requires a judge, who receives notice that an individual is subject to an immigration detainer request, to ensure that the notice of the immigration detainer request is recorded in the court's record. Requires a judge to report to the United States Immigration and Customs Enforcement Agency an individual who has been convicted in the judge's court of a felony or misdemeanor.

**Effective Date:** Upon passage; July 1, 2025.

**Explanation of State Expenditures:** *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:**

**Information Sources:**

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