

SENATE BILL No. 172

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-18.2-7; IC 35-52-5-4.2.

Synopsis: Failure to assist in immigration enforcement. Makes it a Class B misdemeanor for: (1) a law enforcement officer to refuse to cooperate with state or federal agencies or officials in the enforcement of immigration laws; and (2) an individual to adopt a policy barring a law enforcement officer from cooperating with state or federal agencies or officials in the enforcement of immigration laws. Establishes certain defenses for the law enforcement officer.

Effective: July 1, 2025.

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January 8, 2025, read first time and referred to Committee on Corrections and Criminal Law.



First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

SENATE BILL No. 172



A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-2-18.2-7, AS ADDED BY P.L.171-2011,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 7. **(a)** Every law enforcement agency (as defined
4 in IC 5-2-17-2) shall provide each law enforcement officer with a
5 written notice that the law enforcement officer has a duty to cooperate
6 with state and federal agencies and officials on matters pertaining to
7 enforcement of state and federal laws governing immigration.
8 **(b) A law enforcement officer who knowingly or intentionally**
9 **refuses to cooperate with a:**
10 **(1) state agency;**
11 **(2) federal agency; or**
12 **(3) state or federal official;**
13 **on a matter pertaining to the enforcement of a state or federal law**
14 **governing immigration commits refusal to assist with immigration**
15 **enforcement, a Class B misdemeanor.**
16 **(c) An individual exercising supervision or control over a law**
17 **enforcement officer or agency who adopts a policy or rule that**



1 prohibits a law enforcement officer from cooperating with a:
 2 (1) state agency;
 3 (2) federal agency; or
 4 (3) state or federal official;
 5 on a matter pertaining to the enforcement of a state or federal law
 6 governing immigration commits obstruction of immigration
 7 enforcement, a Class B misdemeanor.
 8 (d) It is a defense to a prosecution under subsection (b) that the
 9 law enforcement officer:
 10 (1) was subject to a policy or rule that prohibited the law
 11 enforcement officer from cooperating with a:
 12 (A) state agency;
 13 (B) federal agency; or
 14 (C) state or federal official;
 15 on a matter pertaining to the enforcement of a state or federal
 16 law governing immigration; or
 17 (2) had a reasonable good faith belief that the cooperation
 18 would violate state or federal law, or the Constitution of the
 19 State of Indiana or the Constitution of the United States.
 20 SECTION 2. IC 35-52-5-4.2 IS ADDED TO THE INDIANA CODE
 21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 22 1, 2025]: Sec. 4.2. IC 5-2-18.2-7 defines crimes concerning
 23 immigration enforcement.

