

1 SENATE BILL 270

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Linda M. Lopez

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10 AN ACT

11 RELATING TO LAW ENFORCEMENT; PROHIBITING STATE AND LOCAL LAW
12 ENFORCEMENT AGENCIES FROM ENFORCING FEDERAL IMMIGRATION LAWS;
13 PROHIBITING STATE AGENCIES FROM REPORTING A PERSON'S
14 IMMIGRATION STATUS, ETHNICITY OR RELIGION.

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 29-1-10 NMSA 1978 (being Laws 1966,
18 Chapter 24, Section 1) is amended to read:

19 "29-1-10. LAW ENFORCEMENT AGENCIES--ENFORCEMENT OF
20 FEDERAL IMMIGRATION LAWS.--~~[All state and local law enforcement~~
21 ~~agencies are hereby authorized to participate in the Federal~~
22 ~~Law Enforcement Assistance Act of 1965, Public Law 98-197.]~~

23 A. A law enforcement agency of the state or its
24 political subdivisions, including home rule municipalities,
25 shall not use state funds, equipment, personnel or resources

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1 nor accept or utilize federal funds, equipment, personnel or
2 resources for the purpose of detecting or apprehending persons
3 whose only violation of law is that they have entered or are
4 residing in the United States in violation of federal
5 immigration laws in Title 8 of the United States Code, unless
6 otherwise legally required to do so.

7 B. For the purposes of Subsection A of this
8 section, the workforce solutions department is not a law
9 enforcement agency."

10 SECTION 2. [NEW MATERIAL] NO REPORTING OF IMMIGRATION
11 STATUS, ETHNICITY OR RELIGION.--

12 A. No person shall be denied benefits,
13 opportunities or services offered by the state on the basis of
14 immigration status, ethnicity or religion unless required by
15 law.

16 B. No employee of the state or its political
17 subdivisions shall request information or otherwise investigate
18 the immigration status, ethnicity or religion of a person
19 unless authorized by law.

20 C. No employee of the state or its political
21 subdivisions shall report an undocumented alien to immigration
22 officials unless the undocumented alien is engaged in criminal
23 activities other than minor traffic offenses.

24 D. No agency of the state or its political
25 subdivisions, including home rule municipalities, shall share

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1 any information with the federal government regarding an
2 individual's immigration status, ethnicity or religion.

3 E. Each department secretary or agency director
4 shall take all steps necessary to ensure that these guidelines
5 are implemented immediately.

6 SECTION 3. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2017.

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