

HOUSE BILL NO. HB0108

Ban on sanctuary cities and counties.

Sponsored by: Representative(s) Gray, Eyre, Jennings,
Lindholm, Loucks, Salazar, Tass and Washut and
Senator(s) Bebout and James

A BILL

for

1 AN ACT relating to cities, towns and counties; banning the
2 implementation of immigration sanctuary policies by cities,
3 towns and counties; providing penalties; requiring
4 certification of compliance; requiring a report; and
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 15-1-131 and 18-2-116 are created to
10 read:

11

12 **15-1-131. Prohibition on immigration sanctuary**
13 **policies by cities and towns; certification of compliance.**

14

1 (a) No governing body of a city or town, whether acting
2 through its governing body or by an initiative, referendum or
3 any other process, shall enact, adopt, implement or enforce
4 any policy that prohibits or restricts local officials or
5 employees from communicating or cooperating with federal
6 officials or law enforcement officers with regard to
7 reporting immigration status information while the local
8 official or employee is acting within the scope of their
9 official duties.

10

11 (b) Any governing body of a city or town that acts in
12 violation of this section shall be subject to the withholding
13 of state funding and state administered federal funding,
14 unless otherwise specifically provided by law.

15

16 (c) As used in this section:

17

18 (i) "Federal officials or law enforcement
19 officers" means any person employed by the United States
20 government for the purpose of enforcing or regulating federal
21 immigration laws and any peace officer as defined in W.S.
22 7-2-101(a)(iv) when the person or peace officer is acting
23 within the scope of their employment for the purpose of

1 enforcing federal immigration laws or preserving homeland
2 security;

3

4 (ii) "Immigration status" means the legality or
5 illegality of an individual's presence in the United States
6 as determined by federal law;

7

8 (iii) "Immigration status information" means any
9 information which is not confidential or privileged by law
10 including any statement, document, computer generated data,
11 recording or photograph that is relevant to immigration
12 status or the identity or location of an individual who is
13 reasonably believed to be illegally residing within the
14 United States or who is involved in international or domestic
15 terrorism as defined in 18 U.S.C. § 2331;

16

17 (iv) "Local official or employee" means any
18 elected or appointed official, supervisor or managerial
19 employee, contractor, agent or certified peace officer acting
20 on behalf of or in conjunction with a city or town;

21

22 (v) "Policy" means any regulation, rule, policy or
23 practice adopted by the governing body of a city or town.

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2 **18-2-116. Prohibition on immigration sanctuary**
3 **policies by counties; certification of compliance.**

4

5 (a) No governing body of a county, whether acting
6 through its governing body or by an initiative, referendum or
7 any other process, shall enact, adopt, implement or enforce
8 any policy that prohibits or restricts local officials or
9 employees from communicating or cooperating with federal
10 officials or law enforcement officers with regard to
11 reporting immigration status information while the local
12 official or employee is acting within the scope of their
13 official duties.

14

15 (b) Any governing body of a county that acts in
16 violation of this section shall be subject to the withholding
17 of state funding and state administered federal funding,
18 unless otherwise specifically provided by law.

19

20 (c) As used in this section:

21

22 (i) "Federal officials or law enforcement
23 officers" means any person employed by the United States

1 government for the purpose of enforcing or regulating federal
2 immigration laws and any peace officer as defined in W.S.
3 7-2-101(a)(iv) when the person or peace officer is acting
4 within the scope of their employment for the purpose of
5 enforcing federal immigration laws or preserving homeland
6 security;

7

8 (ii) "Immigration status" means the legality or
9 illegality of an individual's presence in the United States
10 as determined by federal law;

11

12 (iii) "Immigration status information" means any
13 information which is not confidential or privileged by law
14 including any statement, document, computer generated data,
15 recording or photograph that is relevant to immigration
16 status or the identity or location of an individual who is
17 reasonably believed to be illegally residing within the
18 United States or involved in international or domestic
19 terrorism as defined in 18 U.S.C. § 2331;

20

21 (iv) "Local official or employee" means any
22 elected or appointed official, supervisor or managerial

1 employee, contractor, agent or certified peace officer acting
2 on behalf of or in conjunction with a county;

3

4 (v) "Policy" means any regulation, rule, policy or
5 practice adopted by the governing body of a county.

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7 **Section 2.** This act is effective immediately upon
8 completion of all acts necessary for a bill to become law as
9 provided by Article 4, Section 8 of the Wyoming Constitution.

10

11

(END)