

Sec. 2. 20 V.S.A. chapter 207 is added to read:

CHAPTER 207. PROTECTION OF PERSONALLY IDENTIFYING
INFORMATION

§ 4651. PROHIBITED DISCLOSURE OF PERSONALLY IDENTIFYING
INFORMATION

(a) As used in this section:

(1) “Immigration enforcement actions” means [define as only “civil”
actions]

(2) “Personally identifying information” means information concerning
a person’s sex, sexual orientation, gender identity, marital status, race, color,
religion, national origin, immigration status, age, or disability.

(3) “Public agency” has the same meaning as in 1 V.S.A. § 317 and
shall include all officers, employees, agents, and independent contractors of the
public agency.

(b) For purposes of registration a public agency shall not:

(1) collect information regarding:

(A) the religious beliefs, practices, or affiliation of any individual for
the purpose of registration of an individual based on his or her religious
beliefs, practices, or affiliations;

(B) XXXX

(c) For purposes of immigration enforcement actions a public agency shall

not:

(1) collect information regarding the immigration status of any individual for the purpose of registration for immigration enforcement actions;

(2) knowingly disclose information regarding immigration status to any federal agency or official for the purpose of immigration enforcement actions;

(d) Nothing in subsection (c) ction shall prohibit any public agency from complying with 8 U.S.C. §§ 1373 and 1644.

(2) knowingly disclose personally identifying information to any federal agency or official for the purpose of registration of an individual based on his or her personally identifying information; or

(3) use public agency money, facilities, property, equipment, or personnel to assist in creating or enforcing any federal government program for the registration of an individual based on his or her personally identifying information.

(c) Any section, term, or provision of an agreement in existence on the effective date of this section that conflicts with subsection (b) of this section shall be invalidated on that date to the extent of the conflict.

(d) Nothing in this section is intended to prohibit or impede any public agency from complying with the lawful requirements of 8 U.S.C. §§ 1373 and

1644. To the extent any State or local law enforcement policy or practice conflicts with the lawful requirements of 8 U.S.C. §§ 1373 and 1644, said policy or practice is, to the extent of such conflict, abolished.

(e) Nothing in this section is intended to prohibit or impede any public agency from disclosing or exchanging aggregated information that cannot be used to identify an individual with any other public agency or federal agency or official.

§ 4652. AUTHORIZATION TO ENTER INTO AGREEMENTS

PURSUANT TO 8 U.S.C. § 1357(g) AND 19 U.S.C. § 1401(i)

(a) Notwithstanding any other provision of law, only the Governor, in consultation with the Vermont Attorney General, is authorized to enter into, modify, or extend an agreement pursuant to 8 U.S.C. § 1357(g) or 19 U.S.C. § 1401(i).

(b) Notwithstanding subsection (a) of this section, a State, county, or municipal law enforcement agency is authorized to enter into an agreement pursuant to 8 U.S.C. § 1357(g) or 19 U.S.C. § 1401(i) when necessary to address threats to the public safety or welfare of Vermont residents arising out of a declaration of a State or national emergency.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.