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H.81

Introduced by Representatives Headrick of Burlington, Dodge of Essex,  
Arsenault of Williston, Berbeco of Winooski, Bluemle of  
Burlington, Burrows of West Windsor, Chapin of East  
Montpelier, Cina of Burlington, Graning of Jericho, Hooper of  
Burlington, Howard of Rutland City, Logan of Burlington,  
McCann of Montpelier, McGill of Bridport, Minier of South  
Burlington, Priestley of Bradford, Tomlinson of Winooski, and  
Waszazak of Barre City

Referred to Committee on

Date:

Subject: Internal security and public safety; protection of personally  
identifying information; immigration agreements

Statement of purpose of bill as introduced: This bill proposes to require the  
Governor to get approval of the General Assembly before entering into certain  
immigration agreements.

An act relating to requiring legislative approval prior to entering into certain  
immigration agreements

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 20 V.S.A. § 4652 is amended to read:

3 § 4652. AUTHORIZATION TO ENTER INTO AGREEMENTS

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

5 (a) Notwithstanding any other provision of law, only the Governor, ~~in~~  
6 ~~consultation with the Vermont Attorney General~~ upon approval from the  
7 General Assembly as set forth in subsection (b) of this section, is authorized to  
8 enter into, modify, or extend an agreement pursuant to 8 U.S.C. § 1357(g) or  
9 19 U.S.C. § 1401(i).

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

15 (1) The Governor shall not enter into an agreement pursuant to 8 U.S.C.  
16 § 1357(g) or 19 U.S.C. § 1401(i) without prior approval from the General  
17 Assembly.

18 (2) Not fewer than 60 days before the General Assembly may vote on a  
19 proposed agreement pursuant to subdivision (1) of this subsection, the  
20 Governor shall:

21 (A) provide the General Assembly with:

1                   (i) the full text of the proposed agreement; and

2                   (ii) an analysis of the potential fiscal, social, and legal impacts of  
3 the agreement; and

4                   (B) hold one or more public hearings in order to inform and gather  
5 input from Vermonters, including immigrant advocacy organizations, on the  
6 proposed agreement.

7                   (3) No agreement pursuant to 8 U.S.C. § 1357(g) or 19 U.S.C. § 1401(i)  
8 shall be entered into if the General Assembly is not in session.

9                   (4) No State, county, or municipal law enforcement agency or officer  
10 shall engage in any duty or action pursuant to an 8 U.S.C. § 1357(g) or  
11 19 U.S.C. § 1401(i) agreement unless the General Assembly approves of such  
12 agreement as set forth in subdivision (1) of this subsection.

13                   (c) On or before December 1 of each year, the Governor shall submit a  
14 letter to the House Committee on Government Operations and Military Affairs  
15 and the Senate Committee on Government Operations addressing the following  
16 matters:

17                   (1) providing details on any informal and formal discussions and  
18 negotiations involving agreements pursuant to 8 U.S.C. § 1357(g) or 19 U.S.C.  
19 § 1401(i); and

1           (2) confirming that no agreement pursuant to 8 U.S.C. § 1357(g) or  
2           19 U.S.C. § 1401(i) has been entered into without approval from the General  
3           Assembly.

4           Sec. 2. EFFECTIVE DATE

5           This act shall take effect on passage.