

1 H.850

2 Introduced by Representative Casey of Montpelier

3 Referred to Committee on

4 Date:

5 Subject: Internal security and public safety; federal immigration authorities;

6 corrections

7 Statement of purpose of bill as introduced: This bill proposes to require a

8 judicial warrant from a federal immigration authority before the authority

9 enters a nonpublic area of a sensitive location. It also would terminate and

10 restrict the Department of Corrections' assistance to federal immigration

11 authorities to the extent permitted under federal law.

12 An act relating to immigration enforcement

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

14 Sec. 1. 20 V.S.A. chapter 141 is amended to read:

15 CHAPTER 141. PEACE OFFICERS

16 * * *

17 § 2223. FEDERAL IMMIGRATION AUTHORITIES

18 (a) Definitions. As used in this section:

19 (1) “Child care facility” has the same meaning as in 33 V.S.A. § 3511.

1 (2) “Employee” means any person engaged in service to an employer at
2 a sensitive location for wages, salary, or other compensation, and includes an
3 independent contractor.

4 (3) “Federal immigration authority” means a federal agency or
5 department, along with its employees or contractors, tasked with enforcement
6 of immigration law and border entry, including the Department of Homeland
7 Security, Immigration and Customs Enforcement, and U.S. Customs and
8 Border Protection.

9 (4) “Health care facility” has the same meaning as in 18 V.S.A.
10 § 9402(6).

11 (5) “Public library” has the same meaning as in 22 V.S.A. § 101.

12 (6) “School” means a public school or an independent school approved
13 pursuant to 16 V.S.A. § 166.

14 (7) “Sensitive location” means a school, health care facility, public
15 library, and child care facility.

16 (b) Immigration authorities on site.

17 (1) Upon a federal immigration authority appearing at a sensitive
18 location, no employee shall:

19 (A) grant access to the federal immigration authority into a nonpublic
20 area of the sensitive location unless a judicial warrant is presented by the
21 federal immigration authority that names a specific individual under arrest or

1 subject to a search and the warrant is reviewed by a supervisor pursuant to
2 subdivision (2) of this subsection (b); or
3 (B) obstruct the federal immigration authority from entering a
4 nonpublic area of the sensitive location in the event the federal immigration
5 authority enters a nonpublic area of the sensitive location without having been
6 granted access pursuant to subdivision (A) of this subdivision (1).

7 (2) A supervisor of a sensitive location shall:
8 (A) be the primary authority to review a judicial warrant presented by
9 a federal immigration authority at the sensitive location; and
10 (B) designate at least one other employee to serve as a designee of
11 the supervisor in the event that the supervisor is not present when a federal
12 immigration authority appears at the sensitive location.

13 Sec. 2. 28 V.S.A. § 101 is amended to read:

14 § 101. POWERS OF THE DEPARTMENT

15 The Department is charged with the following powers:

16 (1) to establish, maintain, and administer such State correctional
17 facilities and programs as may be required for the custody, control,
18 correctional treatment, and rehabilitation of committed persons, and for the
19 safekeeping of such other persons as may be committed to the Department in
20 accordance with law;

5 Sec. 3. 28 V.S.A. § 102(b) is amended to read:

6 (b) The Commissioner is charged with the following powers:

7 * * *

15 (a)(1) The Department of Corrections shall provide a written report
16 detailing the existence and scope of the agreements, cooperation, or assistance
17 provided to federal immigration authorities, including any financial and
18 resource implications.

19 (2) The report identified in subdivision (1) of this subsection shall be
20 submitted to the House Committees on Corrections and Institutions and on
21 Government Operations and Military Affairs and the Senate Committees on

1 Institutions and on Government Operations within 30 days after passage of this
2 act.

3 (b) The Department of Corrections shall terminate any existing contracts or
4 agreements with federal immigration authorities within 30 days after passage
5 of this act except as required by federal law.

6 Sec. 5. EFFECTIVE DATE

7 This act shall take effect on July 1, 2026.