

1 S.44

2 Introduced by Senators White, Clarkson, Gulick, Harrison, Hashim and Major

3 Referred to Committee on

4 Date:

5 Subject: Internal security and public safety; protection of personally

6 identifying information; immigration agreements

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

8 Governor to get approval of the General Assembly before entering into certain

9 immigration agreements.

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

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

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

14 § 4652. AUTHORIZATION TO ENTER INTO AGREEMENTS

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

16 (a) Notwithstanding any other provision of law, only the Governor, ~~in~~

17 ~~consultation with the Vermont Attorney General~~ upon approval from the

18 General Assembly as set forth in subsection (b) of this section, is authorized to

19 enter into, modify, or extend an agreement pursuant to 8 U.S.C. § 1357(g) or

20 19 U.S.C. § 1401(i).

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

6 (1) The Governor shall not enter into an agreement pursuant to 8 U.S.C.
7 § 1357(g) or 19 U.S.C. § 1401(i) without prior approval from the General
8 Assembly.

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

12 (A) provide the General Assembly with:

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

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

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

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

1 (4) No State, county, or municipal law enforcement agency or officer
2 shall engage in any duty or action pursuant to an 8 U.S.C. § 1357(g) or
3 19 U.S.C. § 1401(i) agreement unless the General Assembly approves of such
4 agreement as set forth in subdivision (1) of this subsection.

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

9 (1) providing details on any informal and formal discussions and
10 negotiations involving agreements pursuant to 8 U.S.C. § 1357(g) or 19 U.S.C.
11 § 1401(i); and

12 (2) confirming that no agreement pursuant to 8 U.S.C. § 1357(g) or
13 19 U.S.C. § 1401(i) has been entered into without approval from the General
14 Assembly.

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on passage.