

1 S.148

2 Introduced by Senators Vyhovsky, Gulick and White

3 Referred to Committee on

4 Date:

5 Subject: Internal security and public safety; Vermont Criminal Justice Council;  
6 immigration

7 Statement of purpose of bill as introduced: This bill proposes to prohibit  
8 Vermont law enforcement agencies, officers, and persons acting on the behalf  
9 of a Vermont law enforcement agency to expend any resources to assist federal  
10 immigration authorities with civil or criminal immigration investigations or  
11 proceedings. This bill further proposes that the noncooperation requirements  
12 extend to situations covered by 12 V.S.A. § 7306 and 18 V.S.A. § 4254.

13 However, the bill proposes to carve out an exception in which assistance can  
14 be provided pursuant to a warrant or an independent investigation.

15 An act relating to expanding good samaritan protections concerning  
16 immigration

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

18 Sec. 1. 20 V.S.A. § 2372 is added to read:

19 § 2372. NONCOOPERATION WITH FEDERAL IMMIGRATION

20 AUTHORITIES

1       (a) As used in this section, “federal immigration authorities” means federal  
2       agencies, departments, or employees or contractors of those agencies or  
3       departments tasked with the enforcement of federal immigration law and  
4       border entry, including the U.S. Department of Homeland Security, U.S.  
5       Immigration and Customs Enforcement, and U.S. Customs and Border  
6       Protection.

7       (b) No law enforcement agency, officer, or any other person acting on  
8       behalf of a law enforcement agency may knowingly provide any information  
9       or expend or use time, money, facilities, property, equipment, personnel, or  
10       other resources in furtherance of any civil or criminal federal immigration  
11       investigation or proceeding.

12       (c) The noncooperation requirements contained in this section shall apply  
13       to law enforcement agencies, officers, or any other person acting on behalf of a  
14       law enforcement agency who are involved in any situation covered by 12  
15       V.S.A. § 7306 (noncooperation with interstate investigations of legally  
16       protected health care activity) and 18 V.S.A. § 4254 (reporting a drug  
17       overdose; immunity from liability).

18       (d) This section shall not apply to any law enforcement agency, officer, or  
19       any other person acting on behalf of a law enforcement agency who, in the  
20       course of normal business, is responding to:

1           (1) a judicial warrant on the good faith belief that the warrant is valid in  
2           this State; or

3           (2) an investigation of a criminal offense unrelated to the enforcement of  
4           federal immigration law.

5           Sec. 2. EFFECTIVE DATE

6           This act shall take effect on passage.