

2025 Regular Session

SENATE BILL NO. 15

BY SENATOR MORRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/PUNISHMENT. Prohibits any act intended to hinder, delay, prevent, or otherwise interfere with or thwart federal immigration enforcement efforts. (8/1/25)

AN ACT

To amend and reenact the introductory paragraph of R.S. 14:130.1(A) and 134(A) and to enact R.S. 14:130.1(A)(6) and (B)(6) and (7), relative to criminal interference with federal immigration enforcement activities; to provide relative to the crimes of obstruction of justice and malfeasance in office; to prohibit interference by public and private actors with immigration enforcement and other official governmental acts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 14:130.1(A) and 134(A) are hereby amended and reenacted and R.S. 14:130.1(A)(6) and (B)(6) and (7) are hereby enacted to read as follows:

§130.1. Obstruction of justice

A. The crime of obstruction of justice is any of the following **acts** when committed with the knowledge that ~~such~~ **the** act has, reasonably may, or will affect an actual or potential present, past, or future criminal proceeding ~~as described in this Section.~~ **, civil immigration proceeding, or official act of an agent or employee of a governmental entity:**

* * *

(6) Committing any act intended to hinder, delay, prevent, or otherwise interfere with or thwart federal immigration enforcement efforts.

B. Whoever commits the crime of obstruction of justice shall be subject to the following penalties:

* * *

(6) When the obstruction of justice involves a civil immigration proceeding, the offender shall be fined not more than five thousand dollars, imprisoned for not more than one year, or both.

(7) When the obstruction of justice involves an official act of an agent or employee of a governmental entity, the offender shall be fined not more than one thousand dollars, imprisoned for not more than six months, or both.

* * *

§134. Malfeasance in office

A. Malfeasance in office is committed when any public officer or public employee ~~shall~~ **does any of the following:**

(1) Intentionally ~~refuse~~ **refuses** or ~~fail~~ **fails** to perform any duty lawfully required of him, as such officer or employee; ~~or.~~

(2) Intentionally ~~perform~~ **performs** any such duty in an unlawful manner; ~~or.~~

(3) Knowingly ~~permit~~ **permits** any other public officer or public employee, under his authority, to intentionally refuse or fail to perform any duty lawfully required of him, or to perform any such duty in an unlawful manner; ~~or.~~

(4) Willfully and knowingly ~~subject~~ **subjects** any person to the deprivation of any right, privilege, or immunity secured or protected by the United States Constitution and laws, if serious bodily injury or death results.

(5) Knowingly releases a person, following arrest or booking, from state, parish, or local law enforcement custody without providing advance notice to United States Immigration and Customs Enforcement that the law enforcement agency effecting release is aware that the person either illegally entered or

1 unlawfully remained in the United States.

2 (6)(a) Takes any official action, fails to perform an official duty, or
3 refuses a lawful request for cooperation submitted by either United States
4 Immigration and Customs Enforcement, United States Customs and Border
5 Protection, or United States Citizenship and Immigration Services with the
6 intent to hinder, delay, prevent, or otherwise interfere, ignore, or thwart federal
7 immigration enforcement efforts.

8 (b) This Paragraph shall not be construed to limit, impede, or otherwise
9 interfere with the duty of a sheriff, chief of police, or other executive law
10 enforcement official in this state to exercise the powers of his office. However,
11 a lawful written request or detainer submitted by either United States
12 Immigration and Customs Enforcement, United States Customs and Border
13 Protection, or United States Citizenship and Immigration Services to release an
14 individual into federal custody shall be complied with if the request or detainer
15 alleges that the person to be released either illegally entered or unlawfully
16 remained in the United States.

17 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 15 Reengrossed

2025 Regular Session

Morris

Present law defines the crime of obstruction of justice and provides penalties for violations.

Proposed law retains present law and adds obstruction of civil immigration proceedings and obstruction of official acts of an agent or employee of a governmental entity to the present law definition of obstruction of justice.

Proposed law provides that a person who commits obstruction of justice regarding a civil immigration proceeding will be fined not more than \$5,000 imprisoned for not more than one year, or both.

Proposed law provides that a person who commits obstruction of justice regarding an official act of an agent or employee of a governmental entity will be fined not more than \$1,000 imprisoned for not more than six months, or both.

Present law defines the crime of malfeasance in office.

Proposed law retains present law and adds to the crime of malfeasance in office:

- (1) Taking any official action, failing to perform an official duty, or refusing a lawful request for cooperation submitted by either U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or U.S. Citizenship and Immigration Services with the intent to hinder, delay, prevent, or otherwise interfere, ignore, or thwart federal immigration enforcement efforts.
- (2) Knowingly releasing a person, following arrest or booking, from state, parish, or local law enforcement custody without providing advance notice to U.S. Immigration and Customs Enforcement that the law enforcement agency effecting release is aware that the person either illegally entered or unlawfully remained in the U.S.

Present law provides that an executive law enforcement official in La. will carry out his duties and exercise the powers of his office or agency in accordance with the constitution and laws of this state.

Proposed law retains present law and provides that an executive law enforcement official in La. will comply with certain lawful written requests or detainers, pertaining to illegal immigration, submitted to his office or agency by certain U.S. law enforcement agencies.

Effective August 1, 2025.

(Amends R.S. 14:130.1(A)(intro para) and 134(A); adds R.S. 14:130.1(A)(6) and (B)(6) and (7))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Make technical changes.
2. Expand obstruction of justice to immigration proceedings and official governmental acts.
3. Add penalties for violating proposed law relative to immigration proceedings and official governmental acts.

Senate Floor Amendments to engrossed bill

1. Make technical changes.
2. Expand actions constituting malfeasance in office.
3. Require certain federal law enforcement requests to be complied with by executive law enforcement officials.