
DIGEST

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HB 453 Original

2016 Regular Session

Jay Morris

Abstract: Provides for the cooperation of local governing authorities and law enforcement agencies in the enforcement of federal immigration laws and provides for remedies for failure to do so.

Proposed law prohibits local governing authorities and officials from adopting or enforcing the following types of ordinances:

- (1) Prohibits local officers, officials, and employees from communicating or cooperating with federal immigration officials.
- (2) Limits law enforcement investigations into a person's immigration status.
- (3) Declines to honor a request by federal immigration officials to hold a person in custody until federal officials can assume custody.

Proposed law adds an affirmative duty for peace officers who have probable cause to believe that a person under arrest is not legally present shall report that person to the U.S. Immigration and Customs Enforcement office.

Proposed law provides for a cause of action for injuries caused by a person who should have been detained for his immigration status, but was not in violation of proposed law. Provides for the award of damages, including attorney fees and costs. Provides that certain citizens may petition for a writ of mandamus, and provides for the recovery of attorney fees and fiscal sanctions.

(Adds R.S. 49:1401-1403)