A bill for an act

relating to public safety; requiring verification of citizenship and legal status of offenders committed to custody; requiring release of noncitizen inmates to United States immigration and customs enforcement; amending Minnesota Statutes 2006, section 631.50.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 631.50, is amended to read:

631.50 ~~ALIEN~~ NONCITIZEN INMATES OR MENTALLY ILL PERSONS; REQUIRING NOTICE TO UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICERS.

Subdivision 1. **Notice upon conviction.** When a person who is convicted of a felony or is found to be a person who is mentally ill is committed to ~~the Minnesota Correctional Facility-Stillwater, the Minnesota Correctional Facility-St. Cloud~~ a public or private prison, the county jail, or any other state or county institution which is supported, wholly or in part, by public funds, the chief executive officer, sheriff, or other officer in charge of the state or county institution shall ~~at once inquire into the nationality of the person~~ use the federal electronic immigration status verification system to determine the citizenship and legal status of each offender committed to their custody. If it appears that the person is ~~an alien~~ a noncitizen, the officer shall immediately notify the United States immigration and customs enforcement officer in charge of the district in which the correctional facility, jail, or other institution is located, of (1) the date of and the reasons for the ~~alien~~ noncitizen's commitment, (2) the length of time for which committed, (3) the country of which the ~~alien~~ noncitizen is a citizen, and (4) the date on which and the port at which the ~~alien~~ noncitizen last entered the United States.

Subd. 2. **Release to Immigration and Customs Enforcement.** The chief executive officer, sheriff, or other officer in charge of a prison or jail in this state must release all noncitizen inmates who do not have valid legal status directly to the United States Immigration and Customs Enforcement officer in charge of the district in which the correctional facility, jail, or other institution is located.

EFFECTIVE DATE. This section is effective the day following final enactment.