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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **26**

01/05/2017 Authored by Quam, Draskowski, Lucero and Gruenhagen
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; requiring law enforcement agencies to comply with federal
1.3 immigration detainers; proposing coding for new law in Minnesota Statutes, chapter
1.4 299A.

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

1.6 Section 1. **[299A.85] COORDINATION WITH DEPARTMENT OF HOMELAND**
1.7 **SECURITY.**

1.8 When an individual becomes eligible for release from the custody of a state or local law
1.9 enforcement agency and the Department of Homeland Security has issued an immigration
1.10 detainer under Code of Federal Regulations, title 8, section 287.7, paragraph (d), the state
1.11 or local law enforcement agency shall maintain custody of the individual for a period not
1.12 to exceed 48 hours, excluding Saturdays, Sundays, and holidays in order to permit the
1.13 assumption of custody of the individual by the Department of Homeland Security, regardless
1.14 of whether the individual is eligible for bail.