

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 3361

(SENATE AUTHORS: UTKE, Koran, Mathews, Eichorn and Lang)

DATE
02/20/2020

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OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to law enforcement; prohibiting immigration law enforcement

1.3 noncooperation ordinances and policies; providing for use of immigration-related

1.4 data; proposing coding for new law in Minnesota Statutes, chapters 13; 299A.

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

1.6 Section 1. **[13.021] IMMIGRATION DATA; PREEMPTION.**

1.7 (a) Notwithstanding any other state or local law, no government entity or responsible

1.8 authority within Minnesota may prohibit or in any way restrict any government entity,

1.9 responsible authority or designee, or other official from sending to, or receiving from, the

1.10 United States Department of Homeland Security, information regarding the citizenship or

1.11 immigration status, lawful or unlawful, of any individual.

1.12 (b) Notwithstanding any other state or local law, no person or government entity may

1.13 prohibit, or in any way restrict, a public employee from doing any of the following with

1.14 respect to data regarding the immigration status, lawful or unlawful, of any individual:

1.15 (1) sending the data to, or requesting or receiving the information from, the United States

1.16 Department of Homeland Security;

1.17 (2) maintaining the data; or

1.18 (3) exchanging the data with any other federal, state, or local government entity.

1.19 (c) When the attorney general has information providing a reasonable ground to believe

1.20 that any person or government entity failed to comply with this section, the attorney general

1.21 shall investigate those violations, or suspected violations, and apply to a district court, upon

notice, and the court, on a showing by the attorney general of cause therefore, may issue such order as may be required to compel compliance with this section.

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

Sec. 2. **[299A.82] IMMIGRATION LAWS; NONCOOPERATION PROHIBITED.**

(a) For purposes of this section, the following terms have the meanings given them:

(1) "criminal justice agency" has the meaning given in section 13.02;

(2) "government entity" has the meaning given in section 13.02;

(3) "peace officer" has the meaning given in section 626.84;

(4) "person" has the meaning given in section 13.02; and

(5) "political subdivision" has the meaning given in section 13.02.

(b) Notwithstanding any other state or local law, no political subdivision, whether acting through its governing body or by an initiative, referendum, or any other process, shall enact any ordinance, regulation, or policy that limits or prohibits a criminal justice agency, peace officer, or official or employee of the political subdivision from communicating or cooperating with federal officials with regard to (1) information concerning the immigration status of any person within Minnesota or (2) the enforcement of federal immigration laws and regulations.

(c) When the attorney general has information providing a reasonable ground to believe that any person or government entity failed to comply with this section, the attorney general shall investigate those violations, or suspected violations, and apply to a district court, upon notice, and the court, on a showing by the attorney general of cause therefore, may issue such order as may be required to compel compliance with this section.