

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
SENATE BILL 270

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

AN ACT

RELATING TO LAW ENFORCEMENT; PROHIBITING STATE AND LOCAL AGENCIES FROM ENFORCING FEDERAL IMMIGRATION LAWS; PROHIBITING STATE AND LOCAL AGENCIES FROM REQUESTING, INVESTIGATING OR DENYING BENEFITS BASED ON A PERSON'S IMMIGRATION STATUS, ETHNICITY OR RELIGION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 29-1-10 NMSA 1978 (being Laws 1966, Chapter 24, Section 1) is amended to read:

"29-1-10. NON-ENFORCEMENT OF FEDERAL IMMIGRATION LAWS.--

~~[All state and local law enforcement agencies are hereby authorized to participate in the Federal Law Enforcement Assistance Act of 1965, Public Law 98-197.]~~

A. No agency of the state or its political subdivisions, including home rule municipalities, shall use

1 public funds, equipment, personnel or resources or accept or  
2 utilize federal funds, equipment, personnel or resources for  
3 the purpose of detecting or apprehending persons whose only  
4 violation of law is that they have entered or are residing in  
5 the United States in violation of federal immigration laws in  
6 Title 8 of the United States Code, unless otherwise legally  
7 required to do so.

8 B. For the purposes of Subsection A of this  
9 section, the workforce solutions department is not an agency."

10 SECTION 2. [NEW MATERIAL] NO REQUESTING OR INVESTIGATING  
11 IMMIGRATION STATUS, ETHNICITY OR RELIGION.--

12 A. No person shall be denied benefits,  
13 opportunities or services offered by the state on the basis of  
14 immigration status, ethnicity or religion unless required by  
15 law.

16 B. No employee of the state or its political  
17 subdivisions shall request information or otherwise investigate  
18 the immigration status, ethnicity or religion of a person  
19 unless required by law.

20 C. Each department secretary or agency director  
21 shall take all steps necessary to ensure that these guidelines  
22 are implemented immediately.