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SENATE BILL 103

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Richard C. Martinez

AN ACT

RELATING TO LAW ENFORCEMENT; PROHIBITING STATE AND LOCAL LAW ENFORCEMENT AGENCIES FROM ENFORCING FEDERAL IMMIGRATION LAWS.

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. LAW ENFORCEMENT AGENCIES-- PARTICIPATION IN FEDERAL PROGRAMS. -- ~~[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. A law enforcement agency of the state or its political subdivision shall not use state funds, equipment, personnel or resources nor accept or utilize federal funds, equipment, personnel or resources for the purpose of:

(1) detecting or apprehending persons whose

underscored material = new
[bracketed material] = delete

1 only violation of law is that they are persons of foreign
2 citizenship who have entered or are residing in the United
3 States in violation of federal immigration laws in Title 8 of
4 the United States Code; or

5 (2) investigating or enforcing any violation
6 of federal immigration laws in Title 8 of the United States
7 Code.

8 B. For the purposes of Subsection A of this
9 section, the labor department is not a law enforcement agency."

10 Section 2. EFFECTIVE DATE. --The effective date of the
11 provisions of this act is July 1, 2005.

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