

HOUSE BILL NO. HB0151

Ban on sanctuary cities and counties.

Sponsored by: Representative(s) Gray, Clem, Jennings, Laursen
and Washut and Senator(s) Agar, Biteman,
Driskill, Hicks, Hutchings, James and Kinskey

A BILL

for

1 AN ACT relating to cities, towns and counties; prohibiting
2 the implementation of immigration sanctuary policies by
3 cities, towns and counties; providing penalties; requiring
4 certification of compliance; requiring a report; and
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 15-1-131 and 18-2-116 are created to
10 read:

11

12 **15-1-131. Prohibition on immigration sanctuary**
13 **policies by cities and towns; certification of compliance.**

14

1 (a) No governing body of a city or town, whether acting
2 through its governing body or by an initiative, referendum or
3 any other process, shall enact, adopt, implement or enforce
4 any policy that prohibits or restricts local officials or
5 employees from communicating or cooperating with federal
6 officials or law enforcement officers with regard to
7 reporting immigration status information while the local
8 official or employee is acting within the scope of their
9 official duties.

10

11 (b) Any governing body of a city or town that acts in
12 violation of this section shall be subject to the withholding
13 of state funding and state administered federal funding,
14 unless otherwise specifically provided by law.

15

16 (c) Any state agency that provides funding to cities or
17 towns shall require certification of compliance with this
18 section as a condition of funding.

19

20 (d) As used in this section:

21

22 (i) "Federal officials or law enforcement
23 officers" means any person employed by the United States

1 government for the purpose of enforcing or regulating federal
2 immigration laws and any peace officer as defined in W.S.
3 7-2-101(a)(iv) when the person or peace officer is acting
4 within the scope of their employment for the purpose of
5 enforcing federal immigration laws or preserving homeland
6 security;

7

8 (ii) "Immigration status" means the legality or
9 illegality of an individual's presence in the United States
10 as determined by federal law;

11

12 (iii) "Immigration status information" means any
13 information which is not confidential or privileged by law
14 including any statement, document, computer generated data,
15 recording or photograph that is relevant to immigration
16 status or the identity or location of an individual who is
17 reasonably believed to be illegally residing within the
18 United States or who is involved in international or domestic
19 terrorism as defined in 18 U.S.C. § 2331;

20

21 (iv) "Local official or employee" means any
22 elected or appointed official, supervisor or managerial

1 employee, contractor, agent or certified peace officer acting
2 on behalf of or in conjunction with a city or town;

3

4 (v) "Policy" means any regulation, rule, policy or
5 practice adopted by the governing body of a city or town.

6

7 **18-2-116. Prohibition on immigration sanctuary**
8 **policies by counties; certification of compliance.**

9

10 (a) No governing body of a county, whether acting
11 through its governing body or by an initiative, referendum or
12 any other process, shall enact, adopt, implement or enforce
13 any policy that prohibits or restricts local officials or
14 employees from communicating or cooperating with federal
15 officials or law enforcement officers with regard to
16 reporting immigration status information while the local
17 official or employee is acting within the scope of their
18 official duties.

19

20 (b) Any governing body of a county that acts in
21 violation of this section shall be subject to the withholding
22 of state funding and state administered federal funding,
23 unless otherwise specifically provided by law.

1

2 (c) Any state agency that provides funding to counties
3 shall require certification of compliance with this section
4 as a condition of funding.

5

6 (d) As used in this section:

7

8 (i) "Federal officials or law enforcement
9 officers" means any person employed by the United States
10 government for the purpose of enforcing or regulating federal
11 immigration laws and any peace officer as defined in W.S.
12 7-2-101(a)(iv) when the person or peace officer is acting
13 within the scope of their employment for the purpose of
14 enforcing federal immigration laws or preserving homeland
15 security;

16

17 (ii) "Immigration status" means the legality or
18 illegality of an individual's presence in the United States
19 as determined by federal law;

20

21 (iii) "Immigration status information" means any
22 information which is not confidential or privileged by law
23 including any statement, document, computer generated data,

1 recording or photograph that is relevant to immigration
2 status or the identity or location of an individual who is
3 reasonably believed to be illegally residing within the
4 United States or involved in international or domestic
5 terrorism as defined in 18 U.S.C. § 2331;

6

7 (iv) "Local official or employee" means any
8 elected or appointed official, supervisor or managerial
9 employee, contractor, agent or certified peace officer acting
10 on behalf of or in conjunction with a county;

11

12 (v) "Policy" means any regulation, rule, policy or
13 practice adopted by the governing body of a county.

14

15 **Section 2.** Not later than July 1, 2019, each city, town
16 and county shall certify to the secretary of state that it is
17 in compliance with W.S. 15-1-131 or 18-2-116, as applicable.
18 The secretary of state shall report any city, town or county
19 that fails to make a certification in accordance with this
20 section to the governor and the joint corporations, elections
21 and political subdivisions interim committee.

22

1 **Section 3.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law as
3 provided by Article 4, Section 8 of the Wyoming Constitution.

4

5

(END)