
SENATE COMMITTEE AMENDMENTS

2024 Regular Session

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 388
by Senator Hodges

1 AMENDMENT NO. 1

2 On page 1, delete lines 4 through 12 and insert:

3 "to offenses affecting the public; to deter unlawful entry into this state by certain
4 persons; to create the crime of unlawful entry or reentry by an alien; to prohibit
5 abatement or termination of prosecutions under certain circumstances; to provide
6 definitions; to provide penalties; to authorize the governor to develop and negotiate
7 an interstate compact to deter unlawful entry or reentry into this state with the
8 assistance of the"

9 AMENDMENT NO. 2

10 On page 2, line 4, after "**Subpart**" delete the remainder of the line and insert a colon ":"

11 AMENDMENT NO. 3

12 On page 2, delete lines 5 through 27 and insert:

13 **"(1) "Alien" means a person who is unlawfully present in this state and**
14 **shall have the same meaning as "alien" is defined by 8 U.S.C. Section 1101.**

15 **(2) "Lawfully present in this state" or "lawful presence in this state"**
16 **means a person within the borders of this state who is either:**

17 **(a) A natural person who is a United States citizen, regardless of whether**
18 **the United States citizenship was acquired by birth or granted because the**
19 **person has met the requirements for asylum established by the United States**
20 **Congress in the Immigration and Nationality Act, in particular 8 U.S.C. 1158.**

21 **(b) Legally present in this state by virtue of authorization by the United**
22 **States Department of Homeland Security on the basis of any one of the**
23 **following:**

24 **(i) The person is a permanent legal resident.**

25 **(ii) The person holds an unexpired student visa.**

26 **(iii) The person holds an unexpired work permit.**

27 **(c) Legally present or entitled to be present in the United States pursuant**
28 **to an unexpired visitor or tourist visa, or pursuant to any other provision of**
29 **federal law.**

30 **(3) "Unlawfully enters into this state" means an alien who is found**
31 **entering or has entered into this state by automobile, watercraft, airplane, or**
32 **any other method of entry or means of conveyance, whether or not entry is**
33 **made directly from a foreign nation or indirectly from another state, without**
34 **lawful presence in this state."**

35 AMENDMENT NO. 4

36 On page 3, delete lines 6 through 8 and insert:

37 **"§112.22. Unlawful entry or reentry into the state of Louisiana by an alien"**

38 AMENDMENT NO. 5

39 On page 3, line 21, after "**Section**" delete the remainder of the line and insert "**that either:**"

1 AMENDMENT NO. 6

2 On page 3, line 22, after "**(1) The**" insert "**defendant is lawfully present in this state**
3 **because the**"

4 AMENDMENT NO. 7

5 On page 3, line 25, after "**1325(a)**" insert "**, relative to illegal entry into the United States**"

6 AMENDMENT NO. 8

7 On page 3, between lines 25 and 26, insert the following:

8 **"D. This Section shall not apply to an alien unlawfully present in the**
9 **United States if he has been a necessary witness to or victim of a crime of**
10 **domestic violence, rape, sexual exploitation, sexual assault, murder,**
11 **manslaughter, assault, battery, human trafficking, kidnapping, false**
12 **imprisonment, involuntary servitude, fraud in foreign labor contracting,**
13 **blackmail, extortion, or witness tampering."**

14 AMENDMENT NO. 9

15 On page 4, line 4, after "**deterrence of**" delete the remainder of the line and insert "**unlawful**
16 **entry into this state;**"

17 AMENDMENT NO. 10

18 On page 4, delete lines 8 and 9 and insert:

19 **"B. The purpose of this compact is to deter unlawful entry and unlawful**
20 **reentry into this"**

21 AMENDMENT NO. 11

22 On page 4, line 10, change "**112.21**" to "**14:112.21**"

23 AMENDMENT NO. 12

24 On page 4, at the beginning of line 18, change "**(a) Illegal**" to "**(a) [I]llegal**"

25 AMENDMENT NO. 13

26 On page 4, delete lines 22 through 29 and insert:

27 **"(b) "[T]he United States Supreme Court has recognized States 'bear[]**
28 **many of the consequences of unlawful immigration.' *Arizona v. United States,***
29 **567 U.S. 387, 397 (2012)."**

30 **(c) As a result of the federal government's "non-enforcement policies,**
31 **large numbers of aliens who commit subsequent crimes are [being] released into**
32 **communities across the United States," including Louisiana, "rather than being**
33 **detained or removed, allowing these criminal aliens to commit additional crimes**
34 **and increase the number of victims".**

35 **(d) "[S]tates are financially burdened by the cost of incarcerating illegal**
36 **aliens in their prison systems. Although the U.S. Department of Justice provides**
37 **limited funding to the states to offset some of these costs...reimbursements are**
38 **usually less than one percent of the total cost of incarcerating aliens, leaving the**
39 **states," including Louisiana, "to pay the balance".**

40 **(e) "Article I, Section 1 of the Louisiana Constitution declares that**
41 **government is instituted by the people 'to protect the rights of the individual**
42 **and for the good of the whole. Its only legitimate ends are to secure justice for**

1 all, preserve peace, protect the rights, and promote the happiness and general
2 welfare of the people'".

3 AMENDMENT NO. 14

4 On page 5, delete lines 1 through 9

5 AMENDMENT NO. 15

6 On page 5, at the beginning of line 10, delete "(f) The" and insert "(2) In his executive
7 order, the"

8 AMENDMENT NO. 16

9 On page 5, at the beginning of line 14, change "(2)" to "(3)"

10 AMENDMENT NO. 17

11 On page 5, at the beginning of line 19, change "(3)" to "(4)"

12 AMENDMENT NO. 18

13 On page 5, line 24, after "federal government" delete "who is derelict in their" and insert
14 ", which has been derelict in its"

15 AMENDMENT NO. 19

16 On page 6, line 6, change "Southern" to "southern"

17 AMENDMENT NO. 20

18 On page 6, line 29, after "approval and" delete the remainder of the line and insert "the
19 appropriation of necessary"

20 AMENDMENT NO. 21

21 On page 7, line 10, change "23A8154" to "23A814"

22 AMENDMENT NO. 22

23 On page 7, line 14, after "imminent" change "(d)anger" to "Danger"

24 AMENDMENT NO. 23

25 On page 7, line 23, change "1404" to "1403"