

## RÉSUMÉ DIGEST

**ACT 314 (SB 208)**

**2024 Regular Session**

**Miguez**

New law defines "federal immigration agency", "immigration detainer", "detainee", "law enforcement agency", "local governmental entity", "sanctuary policy", and "state entity".

New law prohibits a state entity, law enforcement agency, or local governmental entity from adopting an illegal alien sanctuary policy.

New law requires law enforcement agencies in this state to cooperate with federal immigration authorities and use best efforts to support the enforcement of federal immigration law.

New law prohibits a state entity, law enforcement agency, or local government entity from restricting a law enforcement agency from exchanging information with a federal immigration agency or another governmental or law enforcement agency for the purposes of new law.

New law requires law enforcement agencies that have custody of a detainee illegal alien subject to an immigration detainer issued by a federal immigration agency to perform the following:

- (1) Provide to the judge authorized to grant or deny the detainee's release on bail notice that the detainee is subject to an immigration detainer.
- (2) Record in the detainee's case file that the detainee is subject to an immigration detainer and comply with the requests made in the immigration detainer.

New law requires a judge who receives notice that a detainee is subject to an immigration detainer to record the fact in the court record, regardless of whether the notice is received before or after a judgment in the case.

New law requires each parish correctional facility to enter into an agreement or agreements with a federal immigration agency for temporarily housing detainees who are the subject of immigration detainers and for the payment of the costs of housing and detaining those detainees.

New law authorizes the attorney general, in consultation with the governor, to file suit against a local governmental entity or local law enforcement agency in the 19th JDC for declaratory or injunctive relief for a violation of new law.

New law provides that if the local governmental entity or local law enforcement agency is found by a trial court to have violated new law, the court must enjoin the unlawful sanctuary policy practiced by any local governmental entity or local law enforcement agency.

Effective May 28, 2024.

(Adds R.S. 33:81-85)