

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2020 REGULAR SESSION
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Amend printed copy of **SB 1/GA**

By deleting Sections 1 to 3 in their entirety and inserting in lieu thereof:

"➔SECTION 1. A NEW SECTION OF KRS CHAPTER 61 IS CREATED TO READ
AS FOLLOWS:

(1) As used in this section:

(a) "Employee" means a person who is employed by a law enforcement agency who is not otherwise a law enforcement official;

(b) "Law enforcement agency" means:

1. Any local government that employs a police officer as defined in KRS 15.420(2)(a)1.a.i. or a special law enforcement officer as defined in KRS 61.900(6)(a) to (d);

2. Sheriffs;

3. Jailers;

4. Constables; and

5. Metropolitan correctional services departments operating under KRS Chapter 67B;

(c) "Law enforcement official" means an elected or appointed officer, peace officer, or other employee that oversees or serves within a law enforcement agency within the Commonwealth of Kentucky;

Amendment No. _____

Rep. Rep. Nima Kulkarni _____

Committee Amendment _____

Floor Amendment _____

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX _____

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- (d) "Local government" means a city, county, urban-county government, charter county government, consolidated local government, or unified local government; and
- (e) "Sanctuary policy" means an order, ordinance, resolution, or policy, whether written or unwritten, that:
1. Limits or prohibits a law enforcement official or employee of a law enforcement agency from communicating or cooperating with federal agencies or federal law enforcement officers or another state or local law enforcement agency or law enforcement official pursuant to a legal and valid request from United States Immigration and Customs Enforcement, to verify or report the immigration status of a person within the state;
 2. Grants to illegal immigrants the right to lawful presence or status within the boundaries of this state in violation of federal law;
 3. Violates 8 U.S.C. sec. 1373 or 1644;
 4. Restricts or imposes any conditions upon the law enforcement agency's cooperation or compliance with detainers or other legal and valid requests from United States Immigration and Customs Enforcement to maintain custody of an immigrant or to transfer an immigrant to the custody of United States Immigration and Customs Enforcement, or another federal agency or federal law enforcement officer, if the detainers or other legal and valid requests are accompanied by a lawful court order or administrative warrant establishing United States Immigration and Customs Enforcement's or another federal agency's authority to detain an individual;
 5. Prevents law enforcement officials or employees of a law enforcement agency from asking a person about his or her citizenship or immigration status

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unless the policy is supported in writing by agency-specific operational and implementational justifications; or

6. Prohibits a federal immigration officer, or other federal law enforcement officer or a law enforcement official, from entering and conducting enforcement activities at a jail or other correctional facility to enforce federal immigration laws, except those prohibitions that are required by state or federal law, that are designed to ensure the safety of jail or other correctional facility staff, inmates, and other persons.

(2) No law enforcement agency, or law enforcement official or employee of a law enforcement agency, or any local government shall enact, adopt, or otherwise enforce any sanctuary policy.

→SECTION 2. A NEW SECTION OF KRS CHAPTER 61 IS CREATED TO READ AS FOLLOWS:

Any sanctuary policy adopted prior to or after the effective date of this Act in violation of Section 1 of this Act shall be invalid, void, and unenforceable.

→SECTION 3. A NEW SECTION OF KRS CHAPTER 61 IS CREATED TO READ AS FOLLOWS:

Sections 1 and 2 of this Act may be cited as the Federal Immigration Cooperation Act of 2020."