



Bill Number: S.B. 1164

Petersen Floor Amendment

**Reference to: Military Affairs and Border Security
Committee Amendment**

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Removes requiring each law enforcement agency to use its best efforts to support the enforcement of federal immigration laws.**
- 2. Outlines procedures for the Attorney General's investigation and enforcement, at the request of a legislative member, of an alleged violation of the preemption on prohibiting or restricting cooperation with federal immigration authorities.**
- 3. Makes conforming changes.**

PETERSEN FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1164
(Reference to MILITARY AFFAIRS AND BORDER SECURITY Committee amendment)

Amendment instruction key:
[GREEN UPPERCASE UNDERLINING IN BRACKETS] indicates that the amendment is adding text to statute or previously enacted session law.
[Green lowercase underlining in brackets] indicates that the amendment is adding text to new session law or is restoring previously stricken text to existing statute.
~~[GREEN UPPERCASE STRIKEOUT IN BRACKETS]~~ indicates that the amendment is removing new text from statute or previously enacted session law.
~~[Green lowercase strikeout in brackets]~~ indicates that the amendment is removing text from existing statute, previously enacted session law or new session law.
<<Double green carets enclosing an entire section>> indicates that the amendment is adding the section to the bill.
~~<<Green strikeout with double green carets enclosing an entire section>>~~ indicates that the amendment is removing the section to the bill.
{ORANGE UPPERCASE UNDERLINING IN DOUBLE CURLY BRACKETS} indicates that the amendment to an amendment is adding text to statute or previously enacted session law.
{Orange lowercase underlining in double curly brackets} indicates that the amendment to an amendment is adding text to new session law or is restoring previously stricken text to existing statute.
~~{ORANGE UPPERCASE STRIKEOUT IN DOUBLE CURLY BRACKETS}~~ indicates that the amendment to an amendment is removing new text from statute or previously enacted session law.
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<<Double orange underlined carets enclosing an entire section>> indicate that the amendment to an amendment is adding the section to the bill.
~~<<Orange strikeout with double orange underlined carets enclosing an entire section>>~~ indicates that the amendment to an amendment is removing the section from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 11, chapter 7, article 8, Arizona Revised
3 Statutes, is amended by adding sections 11-1052, 11-1053, 11-1054 and
4 11-1055, to read:

5 11-1052. Federal immigration authorities; agreements; state
6 cooperation; incentive programs; grant funding;
7 attorney general investigations; definitions

8 ~~{{A. EACH LAW ENFORCEMENT AGENCY SHALL USE ITS BEST EFFORTS TO~~
9 ~~SUPPORT THE ENFORCEMENT OF FEDERAL IMMIGRATION LAWS. THIS SECTION APPLIES~~
10 ~~TO A LAW ENFORCEMENT AGENCY OFFICIAL, REPRESENTATIVE, AGENT OR EMPLOYEE~~
11 ~~ONLY WHEN THE OFFICIAL, REPRESENTATIVE, AGENT OR EMPLOYEE IS ACTING WITHIN~~
12 ~~THE SCOPE OF THE PERSON'S OFFICIAL DUTIES OR WITHIN THE SCOPE OF THE~~
13 ~~PERSON'S EMPLOYMENT.}}~~

14 ~~{{B.}}~~ ~~{{A.}}~~ OFFICIALS OR AGENCIES OF THIS STATE OR A COUNTY,
15 CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE MAY ENTER INTO
16 MEMORANDUMS OF AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE, THE
17 UNITED STATES DEPARTMENT OF HOMELAND SECURITY OR ANY OTHER FEDERAL AGENCY

1 FOR THE PURPOSE OF ENFORCING FEDERAL IMMIGRATION LAWS, INCLUDING 8 UNITED
2 STATES CODE SECTION 1357(g) OR A SIMILAR FEDERAL PROGRAM.

3 ~~[C. ON OR BEFORE JANUARY 1, 2026, EACH LAW ENFORCEMENT AGENCY SHALL~~
4 ~~ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES IMMIGRATION~~
5 ~~AND CUSTOMS ENFORCEMENT TO PARTICIPATE IN THE IMMIGRATION PROGRAM~~
6 ~~ESTABLISHED UNDER 8 UNITED STATES CODE SECTION 1357(g). THE TERMS OF THE~~
7 ~~AGREEMENT MUST SUPPORT THE ENFORCEMENT OF FEDERAL IMMIGRATION LAWS. THE~~
8 ~~AGREEMENT ENTERED INTO PURSUANT TO 8 UNITED STATES CODE SECTION 1357(g) OR~~
9 ~~A SIMILAR FEDERAL PROGRAM SHALL DO ALL OF THE FOLLOWING:~~

10 ~~1. BE ENTERED INTO IN ACCORDANCE WITH FEDERAL LAW.~~

11 ~~2. INCLUDE PARTICIPATION BY THE LAW ENFORCEMENT AGENCY IN ALL~~
12 ~~APPLICABLE PROGRAMS THAT ARE AVAILABLE.~~

13 ~~3. ALLOW FOR THE ENFORCEMENT OF FEDERAL IMMIGRATION LAWS TO THE~~
14 ~~FULL EXTENT ALLOWED UNDER FEDERAL LAW.~~

15 ~~D. WHEN A LAW ENFORCEMENT AGENCY ENTERS INTO A MEMORANDUM OF~~
16 ~~AGREEMENT PURSUANT TO SUBSECTION C OF THIS SECTION, WRITTEN NOTICE OF THE~~
17 ~~MEMORANDUM OF AGREEMENT SHALL BE SUBMITTED WITHIN THIRTY DAYS AFTER~~
18 ~~EXECUTION TO THE GOVERNOR, THE ATTORNEY GENERAL, THE SECRETARY OF STATE,~~
19 ~~THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE~~
20 ~~SENATE. ANY RENEWAL, MODIFICATION OR TERMINATION OF A MEMORANDUM OF~~
21 ~~AGREEMENT SHALL BE REPORTED TO THE GOVERNOR, THE ATTORNEY GENERAL, THE~~
22 ~~SECRETARY OF STATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE~~
23 ~~PRESIDENT OF THE SENATE WITHIN THIRTY DAYS OF THE RENEWAL, MODIFICATION OR~~
24 ~~TERMINATION.~~

25 ~~E. ON OR BEFORE OCTOBER 1, 2025 AND CONTINUING QUARTERLY UNTIL THE~~
26 ~~LAW ENFORCEMENT AGENCY ENTERS INTO THE MEMORANDUM OF AGREEMENT REQUIRED~~
27 ~~PURSUANT TO SUBSECTION C OF THIS SECTION, EACH LAW ENFORCEMENT AGENCY~~
28 ~~SHALL NOTIFY THE GOVERNOR, THE ATTORNEY GENERAL, THE SPEAKER OF THE HOUSE~~
29 ~~OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE OF THE STATUS OF THE~~
30 ~~WRITTEN AGREEMENT AND THE REASONS FOR NONCOMPLIANCE WITH THIS SECTION.~~

31 ~~F. A LAW ENFORCEMENT AGENCY SHALL ENSURE THAT AT LEAST TEN PERCENT~~
32 ~~OF THE LAW ENFORCEMENT OFFICERS EMPLOYED BY THE LAW ENFORCEMENT AGENCY ARE~~
33 ~~TRAINED IN ACCORDANCE WITH THE TERMS OF ANY MEMORANDUM OF AGREEMENT~~
34 ~~ENTERED INTO WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT~~
35 ~~PURSUANT TO THIS SECTION.~~

36 ~~G. ON OR BEFORE JANUARY 31 OF EACH YEAR, EACH LAW ENFORCEMENT~~
37 ~~AGENCY SHALL SUBMIT A REPORT TO THE GOVERNOR, THE ATTORNEY GENERAL, THE~~
38 ~~SECRETARY OF STATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE~~
39 ~~PRESIDENT OF THE SENATE THAT IDENTIFIES BOTH OF THE FOLLOWING:~~

40 ~~1. THE NUMBER OF LAW ENFORCEMENT OFFICERS ELIGIBLE FOR TRAINING~~
41 ~~PURSUANT TO SUBSECTION F OF THIS SECTION DURING THE PREVIOUS CALENDAR~~
42 ~~YEAR.~~

43 ~~2. THE NUMBER OF LAW ENFORCEMENT OFFICERS TRAINED PURSUANT TO~~
44 ~~SUBSECTION F OF THIS SECTION DURING THE PREVIOUS CALENDAR YEAR.]~~

45 ~~[[{c.}] {B.}] AN OFFICIAL OR AGENCY OF THIS STATE OR A CITY, TOWN,~~
46 ~~COUNTY OR OTHER POLITICAL SUBDIVISION OF THIS STATE MAY NOT ESTABLISH.~~

1 ADOPT OR ENFORCE ANY POLICY, PATTERN OR PRACTICE THAT PROHIBITS OR
2 RESTRICTS COOPERATION WITH FEDERAL IMMIGRATION AUTHORITIES IN THE
3 ENFORCEMENT OF FEDERAL IMMIGRATION LAW.]

4 [H.] [D.] [C.] EXCEPT AS PROVIDED BY FEDERAL LAW, AN OFFICIAL
5 OR AGENCY OF THIS STATE OR A COUNTY, CITY, TOWN OR OTHER POLITICAL
6 SUBDIVISION OF THIS STATE MAY NOT BE PROHIBITED FROM USING AVAILABLE
7 FEDERAL RESOURCES, INCLUDING DATABASES, EQUIPMENT, GRANT MONIES, TRAINING
8 OR PARTICIPATION IN INCENTIVE PROGRAMS FOR ANY PUBLIC SAFETY PURPOSE
9 RELATED TO THE ENFORCEMENT OF STATE AND FEDERAL IMMIGRATION LAWS.

10 [I.] [E.] [D.] WHEN REASONABLY POSSIBLE, APPLICABLE STATE
11 AGENCIES SHALL CONSIDER INCENTIVE PROGRAMS AND GRANT FUNDING FOR THE
12 PURPOSE OF ASSISTING AND ENCOURAGING AN OFFICIAL OR AGENCY OF THIS STATE
13 OR A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE TO
14 ENTER INTO AGREEMENTS WITH FEDERAL ENTITIES AND TO USE FEDERAL RESOURCES
15 CONSISTENT WITH THIS SECTION.

16 [J.] [F.] [E.] THIS SECTION OR ANY MEMORANDUM OF AGREEMENT
17 AUTHORIZED BY THIS SECTION DOES NOT PREVENT ANY LAW ENFORCEMENT AGENCY,
18 COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE FROM
19 ENFORCING IMMIGRATION LAWS AS AUTHORIZED PURSUANT TO FEDERAL LAWS AND THE
20 LAWS OF THIS STATE.

21 ~~[[G. A CITY, TOWN OR COUNTY OR ANY AGENCY, DEPARTMENT OR OTHER
22 ENTITY OF A CITY, TOWN OR COUNTY THAT VIOLATES SUBSECTION C OF THIS
23 SECTION IS SUBJECT TO SECTION 41-194.01, INCLUDING INVESTIGATION,
24 REPORTING AND ENFORCEMENT BY THE ATTORNEY GENERAL. THIS SUBSECTION APPLIES
25 WHETHER THE POLICY, PATTERN, PRACTICE OR REGULATION IS WRITTEN OR
26 UNWRITTEN AND WHETHER THE ACTION IS OFFICIAL OR UNOFFICIAL.]]]~~

27 [F. IN ADDITION TO ANY OTHER CAUSES OF ACTION OR REMEDIES
28 AVAILABLE TO THE ATTORNEY GENERAL, A COUNTY ATTORNEY OR ANY OTHER PARTY
29 WITH STANDING, AT THE WRITTEN REQUEST OF A MEMBER OF THE LEGISLATURE, THE
30 ATTORNEY GENERAL SHALL INVESTIGATE ANY ORDINANCE, REGULATION, ORDER,
31 POLICY, PATTERN OR PRACTICE OF A CITY, TOWN OR COUNTY OR ANY AGENCY,
32 DEPARTMENT OR OTHER ENTITY OF A CITY, TOWN OR COUNTY THAT THE MEMBER OF
33 THE LEGISLATURE ALLEGES VIOLATES SUBSECTION B OF THIS SECTION. THE
34 ATTORNEY GENERAL SHALL HAVE THE SAME INVESTIGATIVE POWERS PROVIDED IN
35 SECTION 38-431.06, SUBSECTION B AND MAY FILE AN ACTION IN SUPERIOR COURT
36 TO ENFORCE COMPLIANCE WITH ANY INVESTIGATIVE REQUEST OR DEMAND. AN ACTION
37 FILED BY THE ATTORNEY GENERAL PURSUANT TO THIS SUBSECTION SHALL BE GIVEN
38 PRECEDENCE OVER ALL OTHER CASES. WITHIN THIRTY DAYS AFTER THE REQUEST OF
39 THE MEMBER OF THE LEGISLATURE, EXCLUDING ANY TIME IN WHICH AN ACTION TO
40 ENFORCE AN INVESTIGATIVE REQUEST OR DEMAND IS PENDING, THE ATTORNEY
41 GENERAL SHALL MAKE A WRITTEN REPORT PURSUANT TO SECTION 41-194.01,
42 SUBSECTION B AND SHALL FOLLOW THE PROCEDURES OF SECTION 41-194.01,
43 SUBSECTION B FOR ANY VIOLATION OR POTENTIAL VIOLATION.}]

44 [K.] [H.] [G.] FOR THE PURPOSES OF THIS SECTION:

- 45 1. "LAW ENFORCEMENT AGENCY" MEANS:
46 (a) A COUNTY SHERIFF'S OFFICE.

1 (b) THE STATE DEPARTMENT OF CORRECTIONS.

2 ~~[(c) THE DEPARTMENT OF PUBLIC SAFETY.~~

3 ~~(d) A MUNICIPAL POLICE DEPARTMENT.]~~

4 2. "LAW ENFORCEMENT OFFICER" MEANS AN OFFICER IN THE EMPLOYMENT OF
5 A LAW ENFORCEMENT AGENCY.

6 11-1053. Immigration detainer requests: duties:
7 responsibilities; definition

8 A. A LAW ENFORCEMENT AGENCY THAT HAS CUSTODY OF A PERSON SUBJECT TO
9 AN IMMIGRATION DETAINER REQUEST ISSUED BY THE UNITED STATES IMMIGRATION
10 AND CUSTOMS ENFORCEMENT SHALL DO ALL OF THE FOLLOWING:

11 1. PROVIDE NOTICE TO THE JUDGE AUTHORIZED TO GRANT OR DENY THE
12 PERSON'S RELEASE ON BAIL UNDER TITLE 13, CHAPTER 38, ARTICLE 12 THAT THE
13 PERSON IS SUBJECT TO AN IMMIGRATION DETAINER.

14 2. RECORD IN THE PERSON'S CASE FILE THAT THE PERSON IS SUBJECT TO
15 AN IMMIGRATION DETAINER.

16 3. ON DETERMINING THAT THE IMMIGRATION DETAINER MEETS THE
17 REQUIREMENTS OF SUBSECTIONS B AND C OF THIS SECTION, COMPLY WITH, HONOR
18 AND FULFILL ANY REQUEST MADE IN THE IMMIGRATION DETAINER REQUEST PROVIDED
19 BY THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT.

20 4. INFORM THE PERSON THAT THE PERSON IS BEING HELD PURSUANT TO AN
21 IMMIGRATION DETAINER REQUEST ISSUED BY UNITED STATES IMMIGRATION AND
22 CUSTOMS ENFORCEMENT.

23 B. THE IMMIGRATION DETAINER REQUEST ISSUED PURSUANT TO SUBSECTION A
24 OF THIS SECTION SHALL BE A FACIALLY SUFFICIENT WRITTEN OR ELECTRONIC
25 REQUEST ISSUED BY THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT
26 USING THAT AGENCY'S OFFICIAL FORM TO REQUEST THAT ANOTHER LAW ENFORCEMENT
27 AGENCY DETAIN A PERSON BASED ON PROBABLE CAUSE TO BELIEVE THAT THE PERSON
28 TO BE DETAINED IS A REMOVABLE ALIEN UNDER FEDERAL IMMIGRATION LAWS,
29 INCLUDING IMMIGRATION DETAINERS ISSUED PURSUANT TO 8 UNITED STATES CODE
30 SECTIONS 1226 AND 1357 ALONG WITH A WARRANT DESCRIBED IN SUBSECTION C,
31 PARAGRAPH 2 OF THIS SECTION.

32 C. AN IMMIGRATION DETAINER REQUEST ISSUED PURSUANT TO SUBSECTION A
33 OF THIS SECTION IS DEEMED FACIALLY SUFFICIENT IF EITHER OF THE FOLLOWING
34 APPLIES:

35 1. THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICIAL
36 FORM IS COMPLETE AND INDICATES ON ITS FACE THAT THE FEDERAL IMMIGRATION
37 OFFICIAL HAS PROBABLE CAUSE TO BELIEVE THAT THE PERSON TO BE DETAINED IS A
38 REMOVABLE ALIEN UNDER FEDERAL IMMIGRATION LAW.

39 2. THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICIAL
40 FORM IS INCOMPLETE AND FAILS TO INDICATE ON ITS FACE THAT THE FEDERAL
41 IMMIGRATION OFFICIAL HAS PROBABLE CAUSE TO BELIEVE THAT THE PERSON TO BE
42 DETAINED IS A REMOVABLE ALIEN UNDER FEDERAL IMMIGRATION LAW, BUT IS
43 SUPPORTED BY AN AFFIDAVIT, ORDER OR OTHER OFFICIAL DOCUMENTATION THAT
44 INDICATES THAT THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT HAS
45 PROBABLE CAUSE TO BELIEVE THAT THE PERSON TO BE DETAINED IS A REMOVABLE
46 ALIEN UNDER FEDERAL IMMIGRATION LAW AND UNITED STATES IMMIGRATION AND

1 CUSTOMS ENFORCEMENT SUPPLIES WITH THE DETENTION REQUEST A UNITED STATES
2 DEPARTMENT OF HOMELAND SECURITY FORM I-200 WARRANT FOR ARREST OF ALIEN OR
3 A UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT FORM I-205 WARRANT OF
4 REMOVAL/DEPORTATION, OR A SUCCESSOR WARRANT, OR OTHER WARRANT AUTHORIZED
5 BY FEDERAL LAW.

6 D. A LAW ENFORCEMENT AGENCY IS NOT REQUIRED TO PERFORM A DUTY
7 IMPOSED BY SUBSECTION A OF THIS SECTION WITH RESPECT TO A PERSON WHO HAS
8 PROVIDED PROOF THAT THE PERSON IS A CITIZEN OF THE UNITED STATES OR THAT
9 THE PERSON HAS LAWFUL IMMIGRATION STATUS IN THE UNITED STATES. PROOF THAT
10 THE PERSON IS A CITIZEN OF THE UNITED STATES INCLUDES A DRIVER LICENSE
11 ISSUED BY THIS STATE OR A SIMILAR GOVERNMENT-ISSUED IDENTIFICATION.

12 E. A LAW ENFORCEMENT AGENCY IS NOT REQUIRED TO PERFORM A DUTY
13 IMPOSED BY SUBSECTION A, PARAGRAPH 1, 2 OR 4 OF THIS SECTION WITH RESPECT
14 TO A PERSON WHO IS TRANSFERRED TO THE CUSTODY OF THE AGENCY BY ANOTHER LAW
15 ENFORCEMENT AGENCY IF THE TRANSFERRING AGENCY PERFORMED THE DUTY IMPOSED
16 BY SUBSECTION A, PARAGRAPH 1, 2 OR 4 BEFORE THE TRANSFER OF THE PERSON.

17 F. A JUDGE WHO RECEIVES NOTICE THAT A PERSON IS SUBJECT TO AN
18 IMMIGRATION DETAINDER SHALL CAUSE THE FACT TO BE RECORDED IN THE COURT
19 RECORD WHETHER OR NOT THE NOTICE IS RECEIVED BEFORE OR AFTER A JUDGMENT IS
20 ENTERED IN THE CASE.

21 G. FOR PURPOSES OF THIS SECTION, "LAW ENFORCEMENT AGENCY" ~~[HAS THE~~
22 ~~SAME MEANING PRESCRIBED IN SECTION 11-1052.]~~ [MEANS:

- 23 1. A COUNTY SHERIFF'S OFFICE.
24 2. THE STATE DEPARTMENT OF CORRECTIONS.]
25 11-1054. Correctional facilities; agreements; reimbursement
26 of costs; definition

27 A. THE DIRECTOR OF EACH CORRECTIONAL FACILITY ~~[WITHIN THE CONTROL~~
28 ~~OF THE STATE DEPARTMENT OF CORRECTIONS OR A COUNTY SHERIFF'S OFFICE]~~ SHALL
29 ENTER INTO AN AGREEMENT OR AGREEMENTS WITH THE UNITED STATES IMMIGRATION
30 AND CUSTOMS ENFORCEMENT FOR TEMPORARY HOUSING OF PERSONS WHO ARE THE
31 SUBJECT OF IMMIGRATION DETAINDERS AND FOR THE PAYMENT OF THE COSTS OF
32 HOUSING AND DETAINING PERSONS WHO ARE SUBJECT TO IMMIGRATION
33 DETAINDERS. SUBJECT TO AVAILABLE MONIES, THE DIRECTOR OF A CORRECTIONAL
34 FACILITY SHALL HOUSE PERSONS WHO ARE THE SUBJECT OF IMMIGRATION DETAINDERS.

35 B. THE AGREEMENT REQUIRED PURSUANT TO SUBSECTION A OF THIS SECTION
36 MAY INCLUDE ANY OF THE FOLLOWING:

- 37 1. ANY CONTRACT BETWEEN THE DIRECTOR OF A CORRECTIONAL FACILITY AND
38 THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT FOR HOUSING OR
39 DETAINING PERSONS SUBJECT TO IMMIGRATION DETAINDERS, INCLUDING BASIC
40 ORDERING AGREEMENTS IN EFFECT ON OR AFTER JANUARY 20, 2025.
41 2. AGREEMENTS AUTHORIZED BY 8 UNITED STATES CODE SECTION 1357 OR
42 SUCCESSOR AGREEMENTS.
43 3. ANY OTHER SIMILAR AGREEMENTS AUTHORIZED BY FEDERAL LAW.

44 C. LAWFUL TRANSPORTATION OR MOVEMENT INCIDENTAL TO CORRECTIONAL
45 FACILITY CONFINEMENT PURSUANT TO SUBSECTION D, PARAGRAPHS 1, 2 AND 3 OF
46 THIS SECTION IS WITHIN THE CONTROL OF A CORRECTIONAL FACILITY.

1 D. FOR THE PURPOSES OF THIS SECTION, "CORRECTIONAL FACILITY" MEANS
2 ANY PLACE USED BY ~~[A LAW ENFORCEMENT AGENCY AS DEFINED IN SECTION 11-1052]~~
3 ~~[THE STATE DEPARTMENT OF CORRECTIONS OR A COUNTY SHERIFF'S OFFICE]~~ FOR THE
4 CONFINEMENT OR CONTROL OF A PERSON FOR ONE OF THE FOLLOWING REASONS:

- 5 1. THE PERSON IS CHARGED WITH OR CONVICTED OF AN OFFENSE.
 - 6 2. THE PERSON IS BEING HELD FOR EXTRADITION.
 - 7 3. PURSUANT TO AN ORDER OF COURT FOR LAW ENFORCEMENT PURPOSES.
- 8 ~~11-1055. Enforcement; definitions~~

9 A. THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE SECTIONS
10 11-1052, 11-1053 AND 11-1054 FOR APPROPRIATE INJUNCTIVE RELIEF TO BRING A
11 LAW ENFORCEMENT AGENCY OR THE DIRECTOR OF A CORRECTIONAL FACILITY INTO
12 COMPLIANCE. THE ACTION MAY BE BROUGHT IN THE SUPERIOR COURT OF THE COUNTY
13 IN WHICH THE DEFENDANT IS LOCATED.

14 B. A TAXPAYER OF THIS STATE MAY REQUEST, IN WRITING, THAT THE
15 ATTORNEY GENERAL INSTITUTE AN ACTION PURSUANT TO SUBSECTION A OF THIS
16 SECTION. A REQUEST MAY BE MADE ONLY BY A TAXPAYER OF THE COUNTY OF THE
17 LAW ENFORCEMENT AGENCY OR CORRECTIONAL FACILITY THAT IS THE SUBJECT OF THE
18 REQUEST. IF THE ATTORNEY GENERAL FAILS TO INSTITUTE AN ACTION AS PROVIDED
19 IN SUBSECTION A OF THIS SECTION SIXTY DAYS AFTER THE REQUEST IS MADE BY
20 THE TAXPAYER IN WRITING, THE TAXPAYER WHO MADE THE REQUEST MAY INSTITUTE
21 THE ACTION IN THE TAXPAYER'S OWN NAME AND AT THE TAXPAYER'S OWN EXPENSE
22 WITH THE SAME EFFECT AS IF BROUGHT BY THE ATTORNEY GENERAL.

23 C. THE COURT MAY AWARD REASONABLE COSTS INCURRED IN OBTAINING
24 RELIEF UNDER SUBSECTION A OR B OF THIS SECTION TO THE ATTORNEY GENERAL OR
25 TAXPAYER BRINGING THE ACTION, INCLUDING COURT COSTS, REASONABLE ATTORNEY
26 FEES, INVESTIGATIVE COSTS, WITNESS FEES AND DEPOSITION COSTS.

27 D. FOR THE PURPOSES OF THIS SECTION:

- 28 1. "CORRECTIONAL FACILITY" HAS THE SAME MEANING PRESCRIBED IN
29 SECTION 11-1054.
- 30 2. "LAW ENFORCEMENT AGENCY" HAS THE SAME MEANING PRESCRIBED IN
31 SECTION 11-1052.

32 <<Sec. 2. Appropriations; state treasurer; state department
33 of corrections; enforcement of federal
34 immigration and detention laws; exemption

35 [A. The sum of \$_____ is appropriated from the state general
36 fund in fiscal year 2025-2026 to the state treasurer to distribute to
37 county sheriffs' offices for the purposes of administering this act.

38 B. The sum of \$_____ is appropriated from the state general
39 fund in fiscal year 2025-2026 to the state department of corrections for
40 the purposes of administering this act.

41 C. The appropriation made in subsections A and B of this section is
42 exempt from the provisions of section 35-190, Arizona Revised Statutes,
43 relating to lapsing of appropriations.]>>

1 Sec. 2. Legislative findings

2 The legislature finds:

3 1. That enforcement of our nation's immigration laws is critically
4 important to the safety and security of Arizona and the United States.

5 2. That illegal immigration to America has surged since 2021.
6 During the past four years, the United States customs and border
7 protection recorded more than eight million five hundred thousand
8 encounters at the southwest border of the United States. Border Crisis
9 Startling Stats: The Biden-Harris Border Crisis Continues as Nationwide
10 Encounters Reach Over 11 Million Since FY2021, U.S. House Committee on
11 Homeland Security (Jan. 3, 2025). "Shockingly, this number does not
12 include the reported 2.2 million known gotaways who have evaded Border
13 Patrol between ports of entry since FY2021."
14 <https://homeland.house.gov/wp-content/uploads/2025/01/November-24-SS.pdf>.

15 3. That the safety and security of Arizona families is threatened
16 by the illegal immigration that has occurred since 2021. In just four
17 years, the border patrol arrested more than fifty-seven thousand aliens
18 with criminal convictions or outstanding warrants. Border Crisis
19 Startling Stats: The Biden-Harris Border Crisis Continues as Nationwide
20 Encounters Reach Over 11 Million Since FY2021, U.S. House Committee on
21 Homeland Security (Jan. 3, 2025).
22 <https://homeland.house.gov/wp-content/uploads/2025/01/November-24-SS.pdf>.

23 Other aliens who have entered the country include:

24 (a) Suspected ISIS terrorists. Stepheny Price et al., Authorities
25 nab 8 suspected terrorists with ties to ISIS in multi-city sting
26 operation, Fox News, (June 11, 2024).
27 <https://www.foxnews.com/us/authorities-nab-8-suspected-terrorists-ties>
28 isis-multi-city-sting-operation.

29 (b) Murderers. Jennie Taer, Migrant charged with Laken Riley's
30 murder easily entered US despite links to bloodthirsty gang, bombshell
31 Post probe reveals, New York Post (Mar. 8, 2024).
32 [https://nypost.com/2024/03/08/us-news/migrant-charged-with-murdering-](https://nypost.com/2024/03/08/us-news/migrant-charged-with-murdering-laken-rileys-easy-path-to-us/)
33 laken-rileys-easy-path-to-us/.

34 (c) Dangerous gang members. Julia Ainsley, DHS is seeking more
35 than 600 migrants for possible ties to Venezuelan gang, NBC News,
36 (Oct. 23, 2024). [https://www.nbcnews.com/news/dhs-identified-600-](https://www.nbcnews.com/news/dhs-identified-600-migrants-possible-ties-venezuelan-gang-rcna176020)
37 migrants-possible-ties-venezuelan-gang-rcna176020.

38 (d) Individuals on the terrorist watchlist. Border Crisis
39 Startling Stats: CBP Records More Than 140,000 Encounters Nationwide to
40 Start FY2025, U.S. House Committee on Homeland Security (Nov. 20, 2024).
41 [https://homeland.house.gov/wp-content/uploads/2024/11/October-FY25-](https://homeland.house.gov/wp-content/uploads/2024/11/October-FY25-Startling-Stats.pdf)
42 Startling-Stats.pdf.

43 4. That Arizona taxpayers also are affected by illegal immigration.
44 A recent report estimated that the four hundred fifty-three thousand
45 aliens who are unlawfully present in Arizona in 2023 cost Arizona
46 taxpayers \$3,190,000.000 that year. The Fiscal Burden of Illegal

1 [Immigration on United States Taxpayers 2023](#), Federation for American
2 Immigration Reform, (Mar. 8, 2023).
3 https://www.fairus.org/sites/default/files/2023-03/arizona2023_0.pdf.

4 5. That it is an important state interest to cooperate and assist
5 the federal government in the enforcement of federal immigration laws
6 within this state.

7 6. That it is the intent of the legislature to require Arizona law
8 enforcement officials to work in conjunction with federal immigration
9 authorities and to use all resources made available by the federal
10 government to assist state and local law enforcement officers in the
11 enforcement of the laws of this state and of the immigration laws of the
12 United States.

13 7. That because the matters contained in this act have important
14 statewide ramifications for compliance with and enforcement of federal
15 immigration laws and for the welfare of all citizens in this state, these
16 matters are of statewide concern.

17 8. That allowing aliens who are unlawfully present in the United
18 States to reside within Arizona undermines federal immigration laws and
19 state laws allocating available resources.

20 9. That all appropriate state officials and law enforcement
21 agencies are to vigorously pursue all federal [moneys] [monies] to which
22 the state may be entitled for the reimbursement of [moneys] [monies] spent
23 to comply with federal immigration laws.

24 Sec. 3. Retroactivity

25 This act applies retroactively to from and after December 31, 2024.

26 Sec. 4. Severability

27 If a provision of this act or its application to any person or
28 circumstance is held invalid, the invalidity does not affect other
29 provisions or applications of the act that can be given effect without the
30 invalid provision or application, and to this end the provisions of this
31 act are severable.

32 Sec. 5. Short title

33 This act may be cited as the "Arizona Immigration, Cooperation and
34 Enforcement Act or the Arizona ICE Act".

35 Enroll and engross to conform

36 Amend title to conform

WARREN PETERSEN

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C: LAT