

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 807

Short Title: State LEOs/Enforce Federal Immigration Laws. (Public)

Sponsors: Senators Pittenger; Apodaca, Berger of Rockingham, Bingham, Blake, Brock, Brown, East, Forrester, Goodall, Hunt, Jacumin, Preston, Stevens, and Tillman.

Referred to: Judiciary I (Civil).

March 15, 2007

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE ATTORNEY GENERAL AND THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE FEDERAL GOVERNMENT TO PROVIDE FOR STATE LAW ENFORCEMENT OFFICERS TO PERFORM CERTAIN FUNCTIONS OF FEDERAL IMMIGRATION OFFICERS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 20 of Chapter 15A of the General Statutes is amended by adding a new section to read:

"§ 15A-407. Enforcement of federal immigration laws.

(a) As authorized by 8 U.S.C. § 1357(g) and G.S. 128-1.1(c1), the Attorney General and the Secretary of Crime Control and Public Safety shall negotiate the terms of a memorandum of agreement or memorandum of understanding between the State of North Carolina and the United States Department of Justice, Department of Homeland Security, or other appropriate federal agency, to provide for State law enforcement officers to perform the functions of federal immigration officers in relation to the investigation, apprehension, or detention of aliens in the United States. The memorandum of agreement or understanding negotiated pursuant to this section shall be signed on behalf of the State by the Attorney General, the Secretary of Crime Control and Public Safety, and the Governor or as otherwise required by the appropriate federal agency."

SECTION 2. The negotiation mandated by G.S. 15A-407, as enacted by this act, should be completed, and the memorandum of agreement or understanding should be entered into no later than October 1, 2007.

SECTION 3. This act is effective when it becomes law.