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FEDERAL LAW ENFORCEMENT AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Trevor Lee

Senate Sponsor: Michael S. Kennedy

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Jefferson S. Burton	Tim Jimenez	Jordan D. Teuscher
Tyler Clancy	Phil Lyman	Ryan D. Wilcox

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LONG TITLE

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General Description:

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This bill concerns the release of an alien within the state by a federal officer.

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Highlighted Provisions:

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This bill:

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▸ defines terms; and

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▸ requires a federal officer to follow certain procedures before releasing an alien within

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the state.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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None

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Utah Code Sections Affected:

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ENACTS:

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53-13-106.13, as Utah Code Annotated 1953

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Be it enacted by the Legislature of the state of Utah:

20 Section 1. Section **53-13-106.13** is enacted to read:

21 **53-13-106.13 . Notification requirement for federal officers before the release of**
22 **an alien within the state.**

23 (1) As used in this section:

24 (a) (i) "Alien" means an individual who is illegally present in the United States.

25 (ii) "Alien" does not include a permit holder as that term is defined in Section
26 63G-12-102.

27 (b) "Custody" means in the physical and legal custody of a federal law enforcement
28 agency.

29 (c) "Federal law enforcement agency" means an entity or division of the federal
30 government that exists primarily to:

31 (i) prevent and detect crime and enforce criminal laws, statutes, and ordinances; or

32 (ii) enforce federal immigration laws.

33 (d) "Federal officer" means an individual:

34 (i) who works for a federal law enforcement agency; and

35 (ii) whose duties consist of the investigation and enforcement of federal laws.

36 (2) A federal officer may not release an alien from custody within the state unless the
37 federal officer provides written notice three business days before the release to:

38 (a) the attorney general or the attorney general's designee; and

39 (b) the county sheriff or the county sheriff's designee of the county in which the release
40 is to take place.

41 (3) In providing the written notice under Subsection (2)(b), the federal officer shall also
42 provide:

43 (a) the specific address or location where the alien will be released;

44 (b) the date and time at which the alien will be released; and

45 (c) whether the federal officer is aware of any outstanding criminal warrants concerning
46 the alien who will be released.

47 Section 2. **Effective date.**

48 This bill takes effect on May 1, 2024.