

2007 DRAFTING REQUEST

Bill

Received: 10/29/2007

Received By: mshovers

Wanted: As time permits

Identical to LRB:

For: Roger Roth (608) 266-7500

By/Representing: Jason

This file may be shown to any legislator: NO

Drafter: mshovers

May Contact:

Addl. Drafters:

Subject: Local Gov't - munis generally
Local Gov't - counties

Extra Copies:

Submit via email: YES

Requester's email: Rep.Roth@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit governments from becoming illegal alien sanctuaries; prohibit local ordinances that prohibit immigration status inquiries

Instructions:

See Attached. Same as LRB -3120/3, but correct the typo on p. 2, line 10.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mshovers 10/29/2007	jdye 10/29/2007		_____			S&L
/1			pgreensl 10/30/2007	_____	sbasford 10/30/2007	cduerst 10/31/2007	

FE Sent For:

*at
intro*

<END>

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*- also delete
part "of" on p. 2,
l. 19*

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/?	mshovers	1 ^{10/29} jld	10/30 P8	10/30 P8			
11 MES	10/29/07						

FE Sent For:

<END>

Shovers, Marc

From: Culotta, Jason
Sent: Monday, October 29, 2007 1:08 PM
To: Shovers, Marc
Subject: FW: 07-31203 sanctuary polices.pdf

Attachments: 07-31203 sanctuary polices.pdf

Marc,
Please disregard the phone message I left earlier this morning.
Sen. Grothman's staff provided me with a copy of LRB-3120/3.
My boss would like to have this prepared as a new LRB draft (not 3155/2) with one change:
On line 10 of page 2, after the word "policy," the words "a resolution" should be stricken.
That is the only change needed to the draft.
Thanks, and please call 6-7500 with any questions.
--Jason

From: Emerson, James
Sent: Monday, October 29, 2007 10:45 AM
To: Culotta, Jason
Subject: 07-31203 sanctuary polices.pdf



07-31203
sanctuary polices.pdf.

-3368/1

stays
RMNR

2007 BILL

reger

1 AN ACT *to create* 66.0408 of the statutes; **relating to:** prohibiting local
 2 ordinances, resolutions, and policies that prohibit immigration status inquiries
 3 and reports to the federal government about the presence of illegal aliens and
 4 authorizing a private right of action.

Analysis by the Legislative Reference Bureau

This bill prohibits a city, village, town, or county (political subdivision) from enacting or enforcing an ordinance, resolution, or policy that prohibits an employee of that political subdivision from inquiring about the immigration status of an individual who is seeking or receiving public services provided by that political subdivision and from notifying the federal government of the presence of illegal aliens in the political subdivision. The bill also authorizes an elector of a political subdivision to file a writ of mandamus with the circuit court to require compliance with the requirements created by the bill if the elector is aggrieved by the failure of the political subdivision to comply with the requirements.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. 66.0408 of the statutes is created to read:

BILL

66.0408 Local ordinances, immigration status, illegal aliens. (1)

DEFINITIONS. In this section:

(a) "Illegal alien" means an individual who is not a U.S. citizen and who is not lawfully present in the United States.

(b) "Political subdivision" means a city, village, town, or county.

(c) "Satisfactory immigration status" means immigration status under which an individual who is not a U.S. citizen is lawfully present in this country.

(2) INQUIRIES ABOUT IMMIGRATION STATUS; REPORTING ILLEGAL ALIENS. (a) A political subdivision may not enact an ordinance, adopt a resolution, or establish a policy ~~a resolution~~ that prohibits an employee of that political subdivision from doing any of the following:

1. Inquiring whether an individual seeking or receiving public services from the political subdivision has satisfactory immigration status.

2. Notifying the federal government of the presence of illegal aliens in the political subdivision.

(b) If a political subdivision has in effect on the effective date of this paragraph [revisor inserts date], an ordinance or resolution that is inconsistent with par. (a), the ordinance or resolution does not apply and may not be enforced.

(3) PRIVATE RIGHT OF ACTION. If an elector of this state is aggrieved by the failure of a political subdivision to comply with the requirements of sub. (2) (a), the elector may file a writ of mandamus with the circuit court for the county where the failure to comply with sub. (2) (a) occurred to compel the noncomplying political subdivision to comply with the requirements.

(END)

Duerst, Christina

From: Culotta, Jason
Sent: Wednesday, October 31, 2007 11:51 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-3368/1 Topic: Prohibit governments from becoming illegal alien sanctuaries; prohibit local ordinances that prohibit immigration status inquiries

Please Jacket LRB 07-3368/1 for the ASSEMBLY.