

2007 DRAFTING REQUEST

Bill

Received: **10/29/2007**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Glenn Grothman (608) 266-7513**

By/Representing: **Jim**

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: **Sen.Grothman@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:

Same as LRB -3120/3, but correct the typos on p. 2, lines 10 and 19.

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 10/30/2007	

FE Sent For: "1" @ intro.

<END>

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/? mshovers

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P8
1 MES 10/29/07
P8

FE Sent For:

<END>

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: MES) (Date: 10 / 29 / 07)



Please transfer the drafting file for

2005 LRB _____ to the drafting file

for 2007 LRB _____

☛ The final version of the 2005 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2005 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

☛ For research purposes, because the 2005 draft was incorporated into a 2007 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the 2007 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

--- OR ---

Please copy the drafting file for

2007 LRB - 3120 / 3 (include the version) and place it in the

drafting file for 2007 LRB - 3372/1

☛ For research purposes, because the original 2007 draft was incorporated into another 2007 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the new 2007 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

☛ The original drafting file will then returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

3372/1

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RMR

2007 BILL

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

2 DEFINITIONS. In this section:

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

5 (b) “Political subdivision” means a city, village, town, or county.

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

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

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

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

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

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

24

(END)

Duerst, Christina

From: Emerson, James
Sent: Tuesday, October 30, 2007 4:28 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-3372/1 Topic: Prohibit governments from becoming illegal alien sanctuaries; prohibit local ordinances that prohibit immigration status inquiries

Please Jacket LRB 07-3372/1 for the SENATE.