

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 452

Short Title: Memorandum of 287(g) Agreements. (Public)

Sponsors: Representatives Henson, Setzer, and K. Hall (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary, if favorable, State and Local Government, if favorable, Rules, Calendar,
and Operations of the House

March 27, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE SECRETARY OF PUBLIC SAFETY TO SEEK TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC SAFETY AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, THE UNITED STATES DEPARTMENT OF JUSTICE, OR OTHER APPROPRIATE FEDERAL AGENCY.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Article 13 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-602.2. Memorandum of Agreement by Secretary of Public Safety with United States Department of Homeland Security, United States Department of Justice, or other appropriate federal agency.

(a) The Secretary of Public Safety shall seek to negotiate the terms of, and enter into, a Memorandum of Agreement between the Department of Public Safety and the United States Department of Homeland Security, United States Department of Justice, or other appropriate federal agency, pursuant to 8 U.S.C. § 1357(g), concerning the enforcement of federal immigration laws, detentions and removals, and all related investigations in the State of North Carolina by certain officers authorized under G.S. 128-1.1(c1).

(b) The Secretary of Public Safety shall sign a Memorandum of Agreement negotiated under subsection (a) of this section on behalf of the Department of Public Safety, or take any action as required by the United States Department of Homeland Security, United States Department of Justice, or other appropriate federal agency to execute the Memorandum of Agreement."

SECTION 1.(b) On or before January 1, 2020, the Secretary of Public Safety shall submit a report to the Governor and the Joint Legislative Oversight Committee on Justice and Public Safety detailing the status of the Secretary of Public Safety's attempts to enter into any Memorandum of Agreement under this act.

SECTION 2. This act becomes effective July 1, 2019.

