

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 851

94TH GENERAL ASSEMBLY

Reported from the Special Committee on Immigration February 27, 2007 with recommendation that House Committee Substitute for House Bill No. 851 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

Reported from the Committee on Rules March 6, 2007 with recommendation that House Committee Substitute for House Bill No. 851 Do Pass.

Taken up for Perfection March 26, 2007. House Committee Substitute for House Bill No. 851 ordered Perfected and printed.

D. ADAM CRUMBLISS, Chief Clerk

1911L.03P

AN ACT

To amend chapters 28 and 43, RSMo, by adding thereto two new sections relating to highway patrol enforcement of federal immigration laws.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 28 and 43, RSMo, are amended by adding thereto two new sections,
2 to be known as sections 28.824 and 43.032, to read as follows:

28.824. All law enforcement officers shall inquire into the citizenship and
2 immigration status of any person under arrest for a violation of any state law or municipal
3 ordinance, regardless of the person's national origin, ethnicity, or race. In all such cases
4 where a person indicates that he or she is not a citizen or national of the United States, the
5 law enforcement agent shall verify with the federal government whether the alien is
6 lawfully or unlawfully present in the United States, under 8 U.S.C. 1373(c). If the alien is
7 verified to be unlawfully present in the United States, the law enforcement officer shall
8 cooperate with any request by federal immigration authorities to detain the alien or
9 transfer the alien to the custody of the federal government.

43.032. Subject to appropriation, the superintendent of the Missouri state highway
2 patrol shall designate that some or all members of the highway patrol be trained in

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

3 **accordance with a memorandum of understanding between the state of Missouri and the**
4 **United States Department of Homeland Security concerning the enforcement of federal**
5 **immigration laws on federal highways and interstates in the state of Missouri, in**
6 **accordance with 8 U.S.C. Section 1357(g). The superintendent shall have the authority to**
7 **negotiate the terms of such memorandum. The memorandum shall be signed by the**
8 **superintendent of the highway patrol, the governor, and the director of the department of**
9 **public safety.**

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