

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 452
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30196-NB-6A

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

Sponsors: Representatives Henson, Setzer, and K. Hall (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE SECRETARY OF PUBLIC SAFETY TO SEEK TO ENTER
3 INTO A MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF
4 PUBLIC SAFETY AND THE UNITED STATES DEPARTMENT OF HOMELAND
5 SECURITY, THE UNITED STATES DEPARTMENT OF JUSTICE, OR OTHER
6 APPROPRIATE FEDERAL AGENCY.

7 The General Assembly of North Carolina enacts:

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

10 "§ 143B-602.2. Memorandum of Agreement by Secretary of Public Safety with United
11 States Department of Homeland Security, United States Department of Justice,
12 or other appropriate federal agency.

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

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

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

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

