

Senate Bill 494

By: Senators Shafer of the 48th, Thompson of the 14th, Heath of the 31st, Mullis of the 53rd, Williams of the 27th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 36-80-23 of the Official Code of Georgia Annotated, relating to  
2 prohibition on immigration sanctuary policies by local governing entities and certification  
3 of compliance, so as to require the Department of Community Affairs to request  
4 documentation from local governing entities supporting such compliance; to provide for the  
5 Department of Community Affairs to conduct investigations to verify and ensure such  
6 compliance; to revise a definition; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 36-80-23 of the Official Code of Georgia Annotated, relating to prohibition on  
10 immigration sanctuary policies by local governing entities and certification of compliance,  
11 is amended by revising paragraph (6) of subsection (a) and adding two new paragraphs to  
12 read as follows:

13 "(6) 'Sanctuary policy' means any regulation, rule, policy, or practice adopted by a local  
14 governing body which prohibits or restricts local officials or employees from  
15 communicating or cooperating with federal officials or law enforcement officers with  
16 regard to reporting immigration status information while such local official or employee  
17 is acting within the scope of his or her official duties or which in any other way prohibits  
18 or materially limits the enforcement of federal or state immigration laws."

19 "(e) The Department of Community Affairs shall request, by written notice, information  
20 and records from any local governing body to verify compliance with this Code section.  
21 Such information and records shall be shared with any other state agency that provides  
22 funding to local governing bodies.

23 (f) The Department of Community Affairs shall be authorized to conduct investigations  
24 to verify certification issued pursuant to Code Section 50-36-4 and ensure compliance with  
25 this Code section by local governing bodies."

26

**SECTION 2.**

27 All laws and parts of laws in conflict with this Act are repealed.