



Adopted

Rejected

COMMITTEE REPORT

YES: 9
NO: 2

MR. SPEAKER:

*Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1393, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete lines 8 through 17, begin a new paragraph and insert:
- 2 "(b) If a law enforcement officer arrests an individual for a
- 3 felony or a misdemeanor and the law enforcement officer has
- 4 probable cause to believe that the person is not lawfully present in
- 5 the United States, the officer or officer's law enforcement agency
- 6 shall, during the intake process at the jail or detention facility,
- 7 notify the county sheriff of the probable cause to believe the person
- 8 is not lawfully present in the United States.
- 9 (c) Notwithstanding any other law, a law enforcement officer
- 10 shall arrest an individual in lieu of issuing a summons for a
- 11 misdemeanor if the law enforcement officer has probable cause to
- 12 believe that the person is not lawfully present in the United States.
- 13 (d) A county sheriff shall report information received under

1 subsection (b) to the proper authority in accordance with
2 provisions of this chapter.

3 (e) A law enforcement agency, including a county sheriff, or a
4 law enforcement officer or other employee of a law enforcement
5 agency is immune from civil liability if there is reasonable belief
6 that the notification requirements under this section have been
7 fulfilled.

8 SECTION 2. IC 34-30-2.1-32.4 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2025]: **Sec. 32.4. IC 5-2-18.2-7 (Concerning**
11 **notification relating to an individual not being lawfully present in**
12 **the United States).".**

(Reference is to HB 1393 as introduced.)

and when so amended that said bill do pass.

Representative Bartels