



February 24, 2023

SENATE BILL No. 178

DIGEST OF SB 178 (Updated February 21, 2023 10:47 am - DI 151)

Citations Affected: IC 5-2.

Synopsis: Citizenship and immigration status. Provides that, if the attorney general determines probable cause exists, the attorney general, rather than any person lawfully domiciled in Indiana, may bring an action to compel a governmental body or postsecondary educational institution to comply with statutes requiring cooperation with federal immigration officials. Requires a court to apply a preponderance of the evidence standard to enjoin the violation of those statutes.

Effective: July 1, 2023.

Koch

January 9, 2023, read first time and referred to Committee on Homeland Security and Transportation.

February 21, 2023, amended, reported favorably — Do Pass. Reassigned to Committee on Rules and Legislative Procedure pursuant to Rule 68(b).

February 23, 2023, committee report adopted pursuant to Rule 66(b).

SB 178—LS 6234/DI 110



February 24, 2023

First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

SENATE BILL No. 178

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-2-18.2-5, AS AMENDED BY P.L.265-2017,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 5. If **the attorney general determines that**
4 **probable cause exists that** a governmental body or a postsecondary
5 educational institution ~~violates~~ **has violated** this chapter, a ~~person~~
6 ~~lawfully domiciled in Indiana~~ **the attorney general** may bring an
7 action to compel the governmental body or postsecondary educational
8 institution to comply with this chapter.

9 SECTION 2. IC 5-2-18.2-6, AS AMENDED BY P.L.265-2017,
10 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2023]: Sec. 6. If a court finds **by a preponderance of the**
12 **evidence** that a governmental body or postsecondary educational
13 institution knowingly or intentionally violated ~~section 3 or 4~~ of this
14 chapter, the court shall enjoin the violation.

SB 178—LS 6234/DI 110



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 178, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to SB 178 as introduced.)

CRIDER, Chairperson

Committee Vote: Yeas 6, Nays 1.

REPORT OF THE PRESIDENT
PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that, subsequent to the adoption of the Committee Report on February 21, 2023, Senate Bill 178 was reassigned to the Committee on Rules and Legislative Procedure.

BRAY

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 178 pursuant to Senate Rule 66(b), has had the same under consideration and begs leave to report back to the Senate that Senate Bill 178 is approved as amended by the Committee on Homeland Security and Transportation.

BRAY, Chair

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