

First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 423

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

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

SECTION 1. IC 5-2-18.2-2.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2.2. As used in this chapter, "postsecondary educational institution" refers to any state educational institution (as defined in IC 21-7-13-32) or private postsecondary educational institution that receives state or federal funds.**

SECTION 2. IC 5-2-18.2-3, AS ADDED BY P.L.171-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3. A governmental body or a postsecondary educational institution may not enact or implement an ordinance, a resolution, a rule, or a policy that prohibits or in any way restricts another governmental body or employee of a postsecondary educational institution, including a law enforcement officer, a state or local official, or a state or local government employee, from taking the following actions with regard to information of the citizenship or immigration status, lawful or unlawful, of an individual:**

- (1) Communicating or cooperating with federal officials.
- (2) Sending to or receiving information from the United States Department of Homeland Security.
- (3) Maintaining information.

SEA 423 — Concur



(4) Exchanging information with another federal, state, or local government entity.

SECTION 3. IC 5-2-18.2-4, AS ADDED BY P.L.171-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. A governmental body **or a postsecondary educational institution** may not limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law.

SECTION 4. IC 5-2-18.2-5, AS ADDED BY P.L.171-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. If a governmental body **or a postsecondary educational institution** violates this chapter, a person lawfully domiciled in Indiana may bring an action to compel the governmental body **or postsecondary educational institution** to comply with this chapter.

SECTION 5. IC 5-2-18.2-6, AS ADDED BY P.L.171-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. If a court finds that a governmental body **or postsecondary educational institution** knowingly or intentionally violated section 3 or 4 of this chapter, the court shall enjoin the violation.



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**SEA 423 — Concur**

