

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 HOUSE BILL 3339

By: Roberts (Sean)

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5  
6 AS INTRODUCED

7 An Act relating to counties and county officers;  
8 requiring local entities to cooperate with federal  
9 authorities; providing civil penalties for willful  
10 violations; providing for removal for certain  
11 officers for willful or negligent violations;  
12 defining term; providing for codification; and  
13 providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 125 of Title 19, unless there is  
17 created a duplication in numbering, reads as follows:

18 A. Any local entity of the state of Oklahoma shall cooperate  
19 with federal authorities, including, but not limited to, United  
20 States Citizenship and Immigration Services, United States  
21 Immigration and Customs Enforcement or another relevant federal  
22 agency in its enforcement of federal law, including, but not limited  
23 to, immigration law.  
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1 B. 1. A local entity that is found by a court of law as having  
2 willfully violated subsection A of this section shall be subject to  
3 a civil penalty in an amount:

- 4 a. not less than One Thousand Dollars (\$1,000.00) and not  
5 more than One Thousand Five Hundred Dollars  
6 (\$1,500.00) for the first violation, and
- 7 b. not less than Twenty-five Thousand Dollars  
8 (\$25,000.00) and not more than Twenty-five Thousand  
9 Five Hundred Dollars (\$25,500.00) for each subsequent  
10 violation;

11 2. Each day of a continuing violation of subsection A of this  
12 section constitutes a separate violation for the civil penalty under  
13 this subsection.

14 3. A civil penalty collected under this subsection shall be  
15 deposited to the credit of the Court Fund created pursuant to  
16 Section 1301 of Title 20 of the Oklahoma Statutes.

17 C. An officer of a local entity of this state that willfully or  
18 negligently violates subsection A of this section shall be subject  
19 to removal from office pursuant to the procedures of Sections 91  
20 through 105 of Title 51 of the Oklahoma Statutes.

21 D. As used in this section:

22 1. "Local entity" means:

- 23 a. the governing body of a municipality or county,

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1           b.    an officer or employee of the governing body or a  
2                division, department or other body that is part of a  
3                municipality or county, including a sheriff, municipal  
4                police department, municipal attorney or county  
5                attorney, and

6           c.    a district attorney or criminal district attorney.

7   SECTION 2.   This act shall become effective November 1, 2018.

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