

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1127 Session of 2024

INTRODUCED BY LAUGHLIN, LANGERHOLC, GEBHARD, ROTHMAN, PENNYCUICK, PHILLIPS-HILL, REGAN, BROOKS, AUMENT AND J. WARD, MARCH 27, 2024

SENATOR BAKER, JUDICIARY, AS AMENDED, APRIL 8, 2024

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in general provisions
3 relating to criminal proceedings, further providing for <--
4 arraignment. PROVIDING FOR CITIZENSHIP STATUS OF CRIMINAL <--
5 DEFENDANTS.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 8703 of Title 42 of the Pennsylvania <--
9 Consolidated Statutes is amended by adding a subsection to read:
10 § 8703. Arraignment.

11 * * *

12 (a.1) Arraignment of illegal migrants. Notwithstanding any
13 other provision of law or court rule, after the arraignment of a
14 defendant who is an illegal migrant, the Attorney General or a
15 district attorney shall notify United States Immigration and
16 Customs Enforcement that the illegal migrant has been arrested
17 and arraigned for a violation of the laws of this Commonwealth.
18 As used in this subsection, the term "illegal migrant" means an
19 individual who is present in the United States in violation of 8

1 ~~U.S.C. Ch. 12 (relating to immigration and nationality).~~

2 * * *

3 SECTION 1. TITLE 42 OF THE PENNSYLVANIA CONSOLIDATED
4 STATUTES IS AMENDED BY ADDING A SECTION TO READ:

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5 § 8704. CITIZENSHIP STATUS OF CRIMINAL DEFENDANTS.

6 AN ATTORNEY FOR THE COMMONWEALTH SHALL NOTIFY UNITED STATES
7 IMMIGRATION AND CUSTOMS ENFORCEMENT IF, AT ANY POINT DURING THE
8 COURSE OF A CRIMINAL PROCEEDING, THE ATTORNEY FOR THE
9 COMMONWEALTH OBTAINS INFORMATION REASONABLY INDICATING THAT A
10 CRIMINAL DEFENDANT IS NOT A CITIZEN OF THE UNITED STATES OR
11 OTHERWISE HAS BEEN PRESENT IN THIS COMMONWEALTH OR THE UNITED
12 STATES IN VIOLATION OF 8 U.S.C. CH. 12 (RELATING TO IMMIGRATION
13 AND NATIONALITY).

14 Section 2. This act shall take effect in 60 days.