

HOUSE BILL 1969

By Powers

AN ACT to amend Tennessee Code Annotated, Title 7,
Chapter 68, relative to enforcement of immigration
laws.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Protect Tennessee
Citizens and Workers Act."

SECTION 2. Tennessee Code Annotated, Section 7-68-102(1), is amended by deleting
the subdivision and substituting instead:

(1) "Local governmental entity" means a governing body, board, commission,
committee, or department of a municipality or county, or a local law enforcement agency;

SECTION 3. Tennessee Code Annotated, Section 7-68-102, is further amended by
adding the following language as new subdivisions:

() "Local law enforcement agency" means a local agency that:

(A) Is responsible and has the duty to prevent and detect crime and
enforce laws or local ordinances; and

(B) Has employees who are authorized to make arrests for crimes while
acting within the scope of their authority;

() "Local law enforcement officer" means a person who is employed by a local
law enforcement agency and whose primary responsibility is the prevention and
detection of crime and the apprehension of offenders;

SECTION 4. Tennessee Code Annotated, Section 7-68-103(b), is amended by deleting
the language "An official" and by substituting instead the language "An official, local law
enforcement officer, or local governmental employee".

SECTION 5. Tennessee Code Annotated, Section 7-68-103, is amended by adding the following language as a new subsection:

(c) A local law enforcement agency, and its officers, shall fully comply with the United States immigration and customs enforcement criminal alien program (CAP) and other federal immigration laws, including, but not limited to, any detention request for a criminal immigrant, duty to apprehend criminal immigrants, and duty to report criminal immigrants.

SECTION 6. Tennessee Code Annotated, Section 7-68-104(a), is amended by deleting the language "local governmental entity or official" and substituting instead the language "local governmental entity, official, local law enforcement officer, or local governmental employee".

SECTION 7. Tennessee Code Annotated, Section 7-68-104, is amended by deleting subsections (c) and (d) and substituting instead the following:

(c) If the court finds a violation of § 7-68-103, the court may issue a writ of mandamus against the entity or individual ordering compliance with § 7-68-103, enjoin the entity or individual from further interference, or take any action within the jurisdiction of the court to ensure compliance.

(d) An entity or individual found in violation of § 7-68-103 by a court shall have one hundred twenty (120) days from the date of the court's order to comply with the order. If, after one hundred twenty (120) days, the entity or individual has not complied with the court's order, the court may take any action within the jurisdiction of the court to enforce compliance.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to conduct and actions occurring on or after the effective date of this act.