

HOUSE BILL NO. 4880

June 28, 2023, Introduced by Reps. Hall, Harris, DeBoyer, Meerman, Borton, Alexander, Bierlein, Cavitt, Markkanen, Jaime Greene, Rigas, Hoadley, Outman, BeGole, Martin, Neyer, Kunse, VanderWall, Schuette, Tisdell, Kuhn, Steele, Zorn, Lightner, Bollin, Prestin, Mueller, Beson, Aragona, Johnsen, Roth, Wozniak, Phil Green, DeSana, Smit, Beeler, Posthumus, Fox, Paquette, Carra and Friske and referred to the Committee on Judiciary.

A bill to prohibit counties from enacting or enforcing any law, ordinance, policy, or rule that limits peace officers or local officials, officers, or employees from communicating or cooperating with appropriate federal officials concerning the immigration status of individuals; to prescribe the powers and duties of certain state and local officials, officers, and employees; and to prescribe penalties and remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "county law enforcement

1 protection act".

2 Sec. 3. As used in this act, "county" includes any of the
3 following:

4 (a) The county board of commissioners of a county.

5 (b) A board, department, commission, council, agency, or body
6 that is created or primarily funded by a county.

7 (c) An officer or official of a county.

8 Sec. 5. A county shall not enact or enforce any law,
9 ordinance, policy, or rule that limits or prohibits a peace officer
10 or local official, officer, or employee from communicating or
11 cooperating with appropriate federal officials concerning the
12 immigration status of an individual in this state. Any law,
13 ordinance, policy, or rule that violates this act is void and
14 unenforceable.

15 Sec. 7. Not later than 60 days after the effective date of
16 this act, if a county has an existing law, ordinance, policy, or
17 rule that violates this act, the county shall bring that law,
18 ordinance, policy, or rule into compliance with this act.

19 Sec. 9. Beginning 61 days after the effective date of this
20 act, if a county has, enacts, or enforces a law, ordinance, policy,
21 or rule that violates this act, an individual who is a resident of
22 that county may do either of the following:

23 (a) Bring an action to enforce this act in any circuit court
24 in the judicial district in which that county is located.

25 (b) File a complaint with the attorney general on a form
26 prescribed by the attorney general.

27 Sec. 11. (1) The attorney general may receive complaints
28 regarding violations of this act and investigate those complaints.
29 A county shall cooperate with any investigation conducted by the

1 department of the attorney general concerning a violation of this
2 act.

3 (2) Beginning 61 days after the effective date of this act, if
4 a county enacts or enforces a law, ordinance, policy, or rule that
5 violates this act, the attorney general shall bring an action to
6 enforce this act in the circuit court in the judicial district in
7 which that county is located.

8 Sec. 13. If an individual brings an action as described in
9 section 9, or if the attorney general brings an action as described
10 in section 11, and the court determines that the law, ordinance,
11 policy, or rule of the county violates this act, the court shall do
12 all of the following:

13 (a) Issue an injunction restraining the county from enforcing
14 the law, ordinance, policy, or rule.

15 (b) Order the county to amend or repeal the law, ordinance,
16 policy, or rule.

17 (c) Award actual damages, costs, and reasonable attorney fees
18 to the party challenging the law, ordinance, policy, or rule.