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HOUSE BILL 855

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Daniel R. Foley

AN ACT

RELATING TO LAW ENFORCEMENT; REQUIRING STATE AND LOCAL LAW
ENFORCEMENT TO ENFORCE FEDERAL IMMIGRATION LAWS; CREATING THE
FEDERAL IMMIGRATION LAW ENFORCEMENT GRANT FUND; MAKING
APPROPRIATIONS; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 29, Article 1 NMSA
1978 is enacted to read:

"[NEW MATERIAL] ENFORCEMENT OF FEDERAL IMMIGRATION LAW
REQUIRED.--Law enforcement agencies of the state and its
political subdivisions shall employ all lawful means, including
use of state or federal funds, equipment, personnel or
resources, to detect or apprehend persons of foreign
citizenship who have entered or are residing in the United
States in violation of federal immigration laws in Title 8 of

.161440.1

underscored material = new
[bracketed material] = delete

underscoring material = new
[bracketed material] = delete

1 the United States Code."

2 Section 2. A new section of Chapter 29, Article 1 NMSA
3 1978 is enacted to read:

4 "[NEW MATERIAL] FEDERAL IMMIGRATION LAW ENFORCEMENT GRANT
5 FUND--CREATION--ADMINISTRATION--PURPOSES.--

6 A. The "federal immigration law enforcement grant
7 fund" is created in the state treasury. The department of
8 public safety shall administer the fund and make grants from
9 the fund in accordance with the provisions of this section.
10 The fund shall consist of appropriations, gifts, grants,
11 donations and bequests made to the fund. Earnings on balances
12 in the fund shall be credited to the fund. Money in the fund
13 shall not revert or be transferred to any other fund at the end
14 of a fiscal year.

15 B. Money in the fund is appropriated to the
16 department of public safety for the purposes of making grants
17 to counties and municipalities for equipment, personnel or
18 resources for use in detecting or apprehending persons of
19 foreign citizenship who have entered or are residing in the
20 United States in violation of federal immigration laws in Title
21 8 of the United States Code.

22 C. The department of public safety shall adopt
23 rules governing the terms and conditions of grants made from
24 the federal immigration law enforcement grant fund."

25 Section 3. APPROPRIATIONS.--

.161440.1

