

1 SENATE BILL 745

2 **47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006**

3 INTRODUCED BY

4 Rod Adair

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10 AN ACT

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

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

17 Section 1. A new section of Chapter 29, Article 1 NMSA
18 1978 is enacted to read:

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

.161846.1

underscored material = new
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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.--

.161846.1

underscored material = new
[bracketed material] = delete

1 A. Two million dollars (\$2,000,000) is appropriated
2 from the general fund to the department of public safety for
3 expenditure in fiscal year 2006 and subsequent fiscal years for
4 equipment, personnel or resources for use in detecting or
5 apprehending persons of foreign citizenship who have entered or
6 are residing in the United States in violation of federal
7 immigration laws in Title 8 of the United States Code. Any
8 unexpended or unencumbered balance remaining at the end of a
9 fiscal year shall not revert to the general fund.

10 B. Six million dollars (\$6,000,000) is appropriated
11 from the general fund to the federal immigration law
12 enforcement grant fund for expenditure in fiscal year 2006 and
13 subsequent fiscal years for the purpose of making grants
14 pursuant to Section 2 of this act. Any unexpended or
15 unencumbered balance remaining at the end of a fiscal year
16 shall not revert to the general fund.

17 Section 4. EMERGENCY.--It is necessary for the public
18 peace, health and safety that this act take effect immediately.