

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: SB460

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Black

3. Committee: Courts of Justice

4. Title: Immigration query at arrest or during detention.

5. Summary: Provides that when a law-enforcement officer lawfully detains a person following a lawful stop, detention, or arrest of such person for a suspected criminal offense or traffic infraction or upon reasonable suspicion of criminal activity and, during the detention, based upon certain prescribed inquiries of the detainee and ICE, the officer forms a reasonable suspicion that the person is unlawfully present in the United States, the officer shall make a reasonable effort during the detention, when practicable, to determine whether the person is lawfully present, unless the determination would hinder or obstruct an investigation. The bill also sets out procedures to be followed by a judicial officer who would make a bail determination for such an arrestee.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary; See item 8 below.

8. Fiscal Implications: According to the Department of State Police, the proposed legislation is not expected to have a fiscal impact.

Also, the Compensation Board has not been notified by sheriffs with law enforcement responsibilities of any potential impact due to the proposal.

9. Specific Agency or Political Subdivisions Affected: State and local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: Similar to HB 472.

Date: January 27, 2012

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