

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB1082

Hearing Date: Wednesday February 14, 2018
Committee On: Judiciary
Introducer: Vargas
One Liner: Require jails, law enforcement agencies, and the Nebraska State Patrol to provide public notice before entering into agreements to enforce federal immigration law and to allow audits of noncomplying entities

Roll Call Vote - Final Committee Action:

Advanced to General File

Vote Results:

| | | |
|----------------------------|---|--|
| Aye: | 6 | Senators Baker, Ebke, Hansen, Krist, Morfeld, Pansing Brooks |
| Nay: | | |
| Absent: | 1 | Senator Chambers |
| Present Not Voting: | 1 | Senator Halloran |

Verbal Testimony:

Proponents:

Senator Tony Vargas
Rose Godinez
Cristina Topete
Darcy Tromanhauser
Tom Venzor
Lazaro Spindola

Representing:

Introducer
ACLU of Nebraska
Unity in Action
Nebraska Appleseed
Nebraska Catholic Conference
Latino American Commission

Opponents:

Larry Storer

Representing:

self

Neutral:

Representing:

Summary of purpose and/or changes:

LB 1082 would require that law enforcement agencies and jails notify their political subdivision's governing body at least thirty days prior to entering into any agreement with any other public agency to enforce immigration law or participating in investigating, interrogating, detaining, detecting, or arresting any person for immigration enforcement purposes. For agencies and jails that entered into such an agreement prior to August 1, 2018, the bill would require that written notice be provided by September 1, 2018.

Law enforcement agencies and jails entering into a new agreement would be required to provide the following to the Nebraska Commission on Law Enforcement and Criminal Justice ("Crime Commission") within sixty days: a copy of the agreement, a copy of the notice delivered to the local political subdivision, a record of any public meeting held by the governing body concerning the agreement. Law enforcement agencies and jails entering into an agreement on or before August 1, 2018 would be required to provide these materials to the Crime Commission by November 1, 2018.

The bill would also require that Nebraska State Patrol provide similar notification electronically to the Judiciary Committee of the Nebraska Legislature and to the Crime Commission. The notice would be placed on the agenda for the next regular public meeting of the Crime Commission. If the State Patrol plans to enter into a new agreement after August 1, 2018, the requisite notice would be required at least thirty days prior to entering the agreement. If State Patrol

has entered an agreement before that date, notice from State Patrol to the Judiciary Committee and the Crime Commission would be required by September 1, 2018.

If a law enforcement agency, a jail, or the Nebraska State Patrol fails to provide required information under this bill, the Auditor of Public Accounts would be granted the discretion to conduct an audit of the non-compliant public entity at the entity's expense.

Laura Ebke, Chairperson