

# House File 107 - Introduced

HOUSE FILE \_\_\_\_\_  
BY STRUYK, WINDSCHITL, FORRISTALL,  
PETTENGILL, SCHULTZ, HUSEMAN,  
ALONS, DRAKE, RAYHONS, and  
HORBACH

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act providing for the enforcement of immigration laws in this  
2 state, including the detention and deportation of unauthorized  
3 aliens and the seizure of assets.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1552YH 83  
6 jm/rj/5

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1 1 Section 1. MEMORANDUM OF UNDERSTANDING == ENFORCEMENT OF  
1 2 FEDERAL IMMIGRATION LAW.  
1 3 1. The attorney general is authorized and directed to  
1 4 negotiate the terms of a memorandum of understanding between  
1 5 the state of Iowa and the United States department of justice  
1 6 or the United States department of homeland security  
1 7 concerning the enforcement of federal immigration and custom  
1 8 laws, detention of unauthorized aliens in county jails, and  
1 9 immediate deportation after serving a state sentence. The  
1 10 memorandum of understanding shall include procedures for  
1 11 seizing the assets of an unauthorized alien to reimburse this  
1 12 state for any services provided to the unauthorized alien.  
1 13 The agreement shall also provide that costs incurred by this  
1 14 state for the detention and deportation of an unauthorized  
1 15 alien shall be reimbursed by the federal government.  
1 16 2. The memorandum of understanding negotiated pursuant to  
1 17 subsection 1 shall be signed on behalf of this state by the  
1 18 attorney general and the governor or as otherwise required by  
1 19 the appropriate federal agency but shall not be implemented  
1 20 until money is appropriated for such purpose.  
1 21 3. A local government, whether acting through its  
1 22 governing body or by an initiative, referendum, or any other  
1 23 process, shall not enact any ordinance, resolution, or policy  
1 24 that limits or prohibits a law enforcement officer, local  
1 25 officer, or local government employee from communicating or  
1 26 cooperating with federal officials with regard to the  
1 27 immigration status of any person within this state.  
1 28 4. Notwithstanding any other provision of law, a  
1 29 government entity or official within the state of Iowa shall  
1 30 not prohibit, or in any way restrict, any government entity or  
1 31 official from sending to, or receiving from, the United States  
1 32 department of homeland security information regarding the  
1 33 citizenship or immigration status, lawful or unlawful, of any  
1 34 individual.  
1 35 5. Notwithstanding any other provision of law, a person or  
2 1 agency shall not prohibit, or in any way restrict, a public  
2 2 employee from doing any of the following with respect to  
2 3 information regarding the immigration status, lawful or  
2 4 unlawful, of any individual:  
2 5 a. Sending such information to, or requesting or receiving  
2 6 such information from, the United States department of  
2 7 homeland security.  
2 8 b. Maintaining such information.  
2 9 c. Exchanging such information with any other federal,  
2 10 state, or local government entity.  
2 11 6. Any natural or legal person lawfully domiciled in this  
2 12 state may file for a writ of mandamus to compel any  
2 13 noncooperating local or state governmental agency to comply  
2 14 with this section.

## EXPLANATION

2 15  
2 16 This bill authorizes the attorney general to negotiate a

2 17 memorandum of understanding on behalf of the state with the  
2 18 United States department of justice or the United States  
2 19 department of homeland security concerning the enforcement of  
2 20 federal immigration and custom laws, detention of unauthorized  
2 21 aliens in county jails, and the immediate deportation after  
2 22 serving a state sentence. The memorandum of understanding  
2 23 shall also include procedures for seizing the assets of an  
2 24 unauthorized alien to reimburse the state for any services  
2 25 provided to the unauthorized alien. The bill also requires  
2 26 that the agreement provide that costs incurred by the state in  
2 27 detaining and deporting an unauthorized alien be reimbursed by  
2 28 the federal government.

2 29 The bill further provides that a person, including the  
2 30 state and any local government, shall not restrict a public  
2 31 employee from communicating or cooperating with federal  
2 32 officials with regard to the immigration status of any person  
2 33 within this state.

2 34 Any person may file for a writ of mandamus to compel  
2 35 compliance with the bill.

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