House File 2183 - Introduced

HOUSE FILE 2183 BY STAED

A BILL FOR

- 1 An Act concerning contractual relationships between local
- 2 entities and federal or private entities relating to the
- 3 housing or detention of noncitizens for purposes of civil
- 4 immigration custody and including effective date provisions.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. NEW SECTION. 823.1 Contracts to house or detain
- 2 noncitizens in locked detention facilities prohibited.
- 3 A city, county, local law enforcement agency, or any
- 4 combination thereof shall not enter into a contract with the
- 5 federal government, any federal agency, or a private entity to
- 6 house or detain individuals who are not citizens of the United
- 7 States in a locked detention facility for purposes of civil
- 8 immigration custody.
- 9 Sec. 2. NEW SECTION. 823.2 Conveyance, construction, and
- 10 reuse of real property procedures.
- 11 A city, county, local law enforcement agency, or any
- 12 combination thereof shall not approve or sign a deed,
- 13 instrument, or other document relating to a conveyance of
- 14 real property or issue a permit for the construction or reuse
- 15 of existing buildings by the federal government, any federal
- 16 agency, or a private entity to house or detain individuals
- 17 who are not citizens of the United States for purposes of
- 18 civil immigration custody unless the city, county, local law
- 19 enforcement agency, or combination thereof has done all of the
- 20 following:
- 21 1. Provided notice to the public of the proposed conveyance
- 22 or permitting action at least one hundred eighty days before
- 23 execution of the conveyance or permit.
- 24 2. Solicited and accepted public comments on the proposed
- 25 conveyance or permit action in at least two separate meetings
- 26 open to the public. The city, county, local law enforcement
- 27 agency, or combination thereof shall give public notice of
- 28 the time and location of such meetings at least two weeks in
- 29 advance.
- 30 Sec. 3. NEW SECTION. 823.3 Public records.
- 31 Records of any facility that houses or detains an individual
- 32 who is not a citizen of the United States pursuant to a
- 33 contract with a city, county, local law enforcement agency,
- 34 or any combination thereof are public records subject to the
- 35 provisions of chapter 22.

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- 1 Sec. 4. LIMITATION ON EXPANSION OF EXISTING CONTRACTS. 2 city, county, local law enforcement agency, or any combination 3 thereof that, as of the effective date of this Act, has an 4 existing contract with the federal government, any federal 5 agency, or a private entity to detain individuals who are not 6 citizens of the United States for purposes of civil immigration 7 custody shall not, on or after the effective date of this Act, 8 renew or modify the contract in a manner that would expand the 9 maximum number of beds or units under the contract that can 10 be utilized to house or detain such individuals in a locked 11 detention facility for purposes of civil immigration custody. 12 Sec. 5. EFFECTIVE DATE. This Act takes effect January 1, 13 2019. 14 **EXPLANATION** 15 The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly. 16
- This bill prohibits a city, county, local law enforcement agency, or any combination thereof from entering into a contract with the federal government, any federal agency, or a private entity to house or detain individuals who are not citizens of the United States in a locked detention facility for purposes of civil immigration custody.

 The bill prohibits a city, county, local law enforcement
- 24 agency, or any combination thereof from approving or signing a
 25 deed, instrument, or other document relating to a conveyance of
 26 real property or issuing a permit for the construction or reuse
 27 of existing buildings by the federal government, any federal
 28 agency, or a private entity to house or detain individuals
 29 who are not citizens of the United States for purposes of
 30 civil immigration custody unless the city, county, local law
 31 enforcement agency, or combination thereof follows procedures
 32 specified in the bill relating to public notice and receiving
 33 public comments.
- The bill provides that records of any facility that houses or detains an individual who is not a citizen of the United

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- 1 States pursuant to a contract with a city, county, local law
- 2 enforcement agency, or any combination thereof are public
- 3 records subject to the provisions of Code chapter 22, the state
- 4 public records law.
- 5 The bill prohibits a city, county, local law enforcement
- 6 agency, or any combination thereof that, as of the effective
- 7 date of the bill, has an existing contract with the federal
- 8 government, any federal agency, or a private entity to
- 9 detain individuals who are not citizens of the United States
- 10 for purposes of civil immigration custody from renewing or
- 11 modifying the contract on or after the effective date of the
- 12 bill in a manner that would expand the maximum number of beds
- 13 or units under the contract that can be utilized to house or
- 14 detain such individuals in a locked detention facility for
- 15 purposes of civil immigration custody.
- 16 The bill takes effect January 1, 2019.