

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:

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.

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.