

# HOUSE BILL NO. 5615

March 20, 2024, Introduced by Reps. Fink, Rigas, Smit, Bollin, Beson, Johnsen, Wozniak, Wendzel and Carra and referred to the Committee on Judiciary.

A bill to prohibit local units of government from enacting or enforcing any law, ordinance, policy, or rule that limits peace officers or local officials, officers, or employees from communicating or cooperating with appropriate federal officials concerning the immigration status of individuals; to prescribe the powers and duties of certain state and local officers, officials, and employees; and to prescribe civil sanctions and remedies.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**           Sec. 1. This act may be cited as the "local government

1 sanctuary policy prohibition act".

2 Sec. 3. As used in this act, "local unit of government" means  
3 any of the following:

4 (a) A county, city, village, township, or charter township.

5 (b) A board, department, commission, council, agency, or body  
6 that is created or primarily funded by a county, city, village,  
7 township, or charter township.

8 (c) An officer or official of a county, city, village,  
9 township, or charter township.

10 Sec. 5. A local unit of government shall not enact or enforce  
11 any law, ordinance, policy, or rule that limits or prohibits a  
12 peace officer or local official, officer, or employee from  
13 communicating or cooperating with appropriate federal officials  
14 concerning the immigration status of an individual in this state.  
15 Any law, ordinance, policy, or rule that violates this act is void  
16 and unenforceable.

17 Sec. 7. Not later than 60 days after the effective date of  
18 this act, if a local unit of government has an existing law,  
19 ordinance, policy, or rule that violates this act, the local unit  
20 of government shall bring that law, ordinance, policy, or rule into  
21 compliance with this act.

22 Sec. 9. Beginning 61 days after the effective date of this  
23 act, if a local unit of government has, enacts, or enforces a law,  
24 ordinance, policy, or rule that violates this act, an individual  
25 who is a resident of the local unit of government may do either of  
26 the following:

27 (a) Bring an action to enforce this act in the circuit court  
28 in the judicial district in which the local unit of government is  
29 located.

1 (b) File a complaint with the attorney general on a form  
2 prescribed by the attorney general.

3 Sec. 11. (1) The attorney general may receive complaints  
4 regarding violations of this act and investigate those complaints.  
5 A local unit of government shall cooperate with any investigation  
6 conducted by the department of the attorney general concerning a  
7 violation of this act.

8 (2) Beginning 61 days after the effective date of this act, if  
9 a local unit of government enacts or enforces a law, ordinance,  
10 policy, or rule that violates this act, the attorney general shall  
11 bring an action to enforce this act in the circuit court in the  
12 judicial district in which the local unit of government is located.

13 Sec. 13. (1) If an individual brings an action under section  
14 9, or if the attorney general brings an action under section 11,  
15 and the court determines that the law, ordinance, policy, or rule  
16 of the local unit of government violates this act, the court shall  
17 do all of the following:

18 (a) Issue an injunction restraining the local unit of  
19 government from enforcing the law, ordinance, policy, or rule.

20 (b) Order the local unit of government to amend or repeal the  
21 law, ordinance, policy, or rule.

22 (c) Award actual damages, costs, and reasonable attorney fees  
23 to the party challenging the law, ordinance, policy, or rule.

24 (2) In addition to the remedies under subsection (1), an  
25 elected or appointed official of the local unit of government who  
26 knowingly and willfully enacted or enforced a law, ordinance,  
27 policy, or rule in violation of this act shall be ordered to pay a  
28 civil fine of not less than \$2,500.00 or more than \$7,500.00. A  
29 civil fine imposed under this subsection is in addition to any

1 other penalty provided by law.