

Moved by Redman

Seconded by Hawkins (2)

IN THE HOUSE OF REPRESENTATIVES
HOUSE AMENDMENT TO S.B. NO. 1247

AMENDMENT TO THE BILL

1
2 On page 1 of the printed bill, delete lines 9 through 40; and delete pages
3 2 through 4, and insert:

4 "SECTION 1. That Chapter 6, Title 19, Idaho Code, be, and the same is
5 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
6 ignated as Section 19-626, Idaho Code, and to read as follows:

7 19-626. MEMORANDUM OF AGREEMENT WITH IMMIGRATION AND CUSTOMS ENFORCE-
8 MENT. (1) As used in this section:

9 (a) "Enforcement and removal operations" means the directorate of
10 United States immigration and customs enforcement under the department
11 of homeland security that manages all aspects of the immigration en-
12 forcement process, including the identification, arrest, detention,
13 and removal of aliens who are subject to removal or are unlawfully
14 present in the United States.

15 (b) "Immigration and customs enforcement" means the federal law en-
16 forcement agency under the department of homeland security, with the
17 primary mission to promote homeland security and public safety through
18 criminal and civil enforcement of federal laws governing border con-
19 trol, customs, trade, and immigration.

20 (c) "Law enforcement agency" means any law enforcement agency of any
21 political subdivision of the state, including any municipal police de-
22 partment or county sheriff's department.

23 (d) "Section 287(g)" refers to section 287(g) of the immigration and
24 nationality act, 8 U.S.C. 1357(g), that permits the delegation of cer-
25 tain immigration enforcement functions to local law enforcement agen-
26 cies and that enables specially trained local peace officers to perform
27 specific functions relating to the investigation, apprehension, or de-
28 tention of noncitizens during a predetermined time frame and under fed-
29 eral oversight by immigration and customs enforcement.

30 (2) Each law enforcement agency in this state shall make an application
31 for a section 287(g) program for which the local or county law enforcement
32 agency is eligible, including but not limited to the jail enforcement model
33 and the warrant service officer model operated by the department of homeland
34 security.

35 (3) If a law enforcement agency is unable to enter into a section 287(g)
36 memorandum of agreement, such agency shall publish a statement declaring the
37 reasons for its inability to enter into the memorandum and any efforts made
38 to establish alternate cooperation with enforcement and removal operations
39 of immigration and customs enforcement.

1 SECTION 2. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after
3 July 2, 2026."

4 CORRECTION TO TITLE

5 On page 1, delete lines 2 through 7, and insert:

6 "RELATING TO A MEMORANDUM OF AGREEMENT WITH IMMIGRATION AND CUSTOMS ENFORCE-
7 MENT; AMENDING CHAPTER 6, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW
8 SECTION 19-626, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING LAW EN-
9 FORCEMENT ENTERING INTO A MEMORANDUM OF AGREEMENT WITH IMMIGRATION AND
10 CUSTOMS ENFORCEMENT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFEC-
11 TIVE DATE."