**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5291**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Burns, Haddon, Beach, Trantham and Oremus

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Introduced in the House on March 20, 2024

Currently residing in the House

Summary: Undocumented individuals

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/20/2024 House Introduced and read first time (House Journal‑page 21)

 3/20/2024 House Referred to Committee on **Judiciary** (House Journal‑page 21)

 3/20/2024 House Member(s) request name added as sponsor: Trantham

 3/26/2024 House Member(s) request name added as sponsor: Oremus

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5291&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/20/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5291_20240320.docx)

A joint Resolution

TO DIRECT COUNTY AND MUNICIPAL LAW ENFORCEMENT AGENCIES to participate in at least one of the U.S. Immigration and Customs enforcement’s section 287(g) programs and to require county and municipal law enforcement agencies, upon learning of illegal operations, to bring undocumented individuals to this state to cooperate fully with the U.S. Attorney’s Office to commence RICO-based seizures to seize all assets used in the efforts to import undocumented individuals to this state.

Whereas, the General Assembly finds that the federal government’s failure to secure the borders of the United States has allowed for an increase in undocumented individuals throughout this country; and

Whereas, immigration law is within the purview of the federal government, however the General Assembly believes there are actions that can be taken at state and local levels to help combat the influx of undocumented individuals; and

Whereas, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 added Section 287(g) to the Immigration National Act which allows U.S. Immigration and Customs Enforcement (ICE) to delegate to state and local law enforcement officers the authority to perform specified immigration officer functions under the agency’s direction and oversight; and

Whereas, ICE enforcement and removal operations operates two Section 287(g) models. The jail enforcement model is designed to identify and process removable noncitizens, with criminal or pending charges, who are arrested by state or local law enforcement agencies and the warrant service officer program allows ICE to train, certify, and authorize state and local law enforcement officers to serve and execute administrative warrants on noncitizens in their agency’s jail; and

Whereas, currently, the only South Carolina law enforcement agencies participating in Section 287(g) programs are the sheriff’s offices of Horry, Lexington, and York counties; and

Whereas, it would benefit public safety and preserve state and local resources to utilize all available tools to enforce federal immigration laws. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. County and municipal law enforcement agencies in this State are required to participate in at least one Section 287(g) program.

SECTION 2. Once a county or municipal law enforcement agency is made aware of illegal operations to bring undocumented individuals to this State, the law enforcement agency must cooperate fully with the U.S. Attorney’s Office to commence RICO-based seizures to seize all assets used in the efforts to import undocumented individuals to the United States of America.

SECTION 3. This joint resolution takes effect upon approval by the Governor.

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