**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3086**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Limehouse, G.R. Smith and Pitts

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Introduced in the House on January 13, 2015

Currently residing in the House Committee on **Judiciary**

Summary: Illegal alien

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2014 House Prefiled

12/11/2014 House Referred to Committee on **Judiciary**

1/13/2015 House Introduced and read first time ([House Journal‑page 90](file:///h:\HJ%20Archive\2015\01-13-15.docx))

1/13/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 90](file:///h:\HJ%20Archive\2015\01-13-15.docx))

1/15/2015 House Member(s) request name added as sponsor: Pitts

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**VERSIONS OF THIS BILL**

[12/11/2014](file:///p:\pprever\2015-16\3086_20141211.docx)

**A** **BILL**

TO PROVIDE THAT AN OFFICER OR EMPLOYEE OF AN AGENCY OF THIS STATE OR OF A POLITICAL SUBDIVISION OF THIS STATE MAY NOT TAKE ANY ACTION, REFRAIN FROM ANY ACTION, OR EXPEND OR AUTHORIZE THE EXPENDITURE OF PUBLIC FUNDS IN THIS STATE AS A RESULT OF AN OFFICIAL CONTACT WITH AN INDIVIDUAL WHO IS A NON‑CITIZEN OF THE UNITED STATES ILLEGALLY PRESENT IN THE UNITED STATES, AND BECAUSE OF THAT STATUS, SUBJECT TO DEPORTATION BUT FOR EXECUTIVE ACTION TAKEN BY THE PRESIDENT OF THE UNITED STATES, TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY WITH REGARD TO THE ENFORCEMENT OF CRIMINAL LAWS AND VIOLATIONS ENFORCED BY CIVIL PENALTIES, AND TO ALLOW A SENTENCING JUDGE IN A CASE RESULTING IN A CRIMINAL CONVICTION OF A NON‑CITIZEN ILLEGALLY PRESENT IN THE UNITED STATES SUBJECT TO DEPORTATION BUT FOR EXECUTIVE ACTION TAKEN BY THE PRESIDENT OF THE UNITED STATES, AS A CONDITION OF PAROLE, TO REQUIRE THE INDIVIDUAL TO BE REMOVED FROM AND REMAIN OUT OF THE TERRITORIAL JURISDICTION OF THIS STATE.

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

SECTION 1. (A) An officer or employee of an agency of this State or of a political subdivision of this State may not take or refrain from any action, or expend or authorize the expenditure of public funds in this State as a result of an official contact with an individual who is a non‑citizen of the United States illegally present in the United States, and because of that status, subject to deportation but for executive action taken by the President of the United States.

(B)(1) The provisions of subsection (A) do not apply to any matters relating to the application and enforcement of the criminal laws of this State and the punishment imposed on individuals convicted of violating the criminal laws of this State. For purposes of this item, ‘criminal laws of this state’ include an ordinance of a political subdivision of this State establishing and providing for the enforcement of criminal offenses occurring within the political subdivision.

(2) The provisions of subsection (A) do not apply to any matters arising under the laws and regulations of this State enforced by civil penalties for violations. For purposes of this item laws and regulations of this State enforced by civil penalties for violations include an ordinance of a political subdivision of this State enforced by civil penalties for violations occurring within the political subdivision.

(C) The sentencing judge in any case resulting in a criminal conviction of an individual described in subsection (A) may, in addition to any other penalty provided by law and without regard to the territorial jurisdiction of the judge, may order the individual, as a condition of parole, to be removed from the territorial jurisdiction of this State and making this individual’s return to the territorial jurisdiction of this State a violation of that parole.

SECTION 2. This act takes effect upon approval by the Governor

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