

Senate Finance
February 19, 2025
2025-0494s
09/02

Amendment to SB 71-FN

1 Amend the bill by inserting after section 1 the following and renumbering the original section 2 to
2 read as 3:

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4 2 County Department of Corrections; Immigration Detainees. New Paragraph; County
5 Department of Corrections; Immigration Detainees. Amend RSA 30-B:1 by inserting after
6 paragraph II the following new paragraph:

7 III. A county may hold Immigration and Customs Enforcement detainees, after the
8 resolution of state charges, for a maximum of 48 hours, excluding Saturdays, Sundays, and holidays,
9 in order to permit assumption of custody by federal authorities. Nothing in this paragraph shall
10 prohibit the county from executing an agreement in accordance with RSA 30-B:16. Any agency
11 refusing to honor an immigration detainer for an inmate shall report each such refusal to the
12 attorney general in a time, form, and manner to be prescribed by the attorney general or the
13 attorney general's designee.

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AMENDED ANALYSIS

This bill provides that unless expressly prohibited by state or federal law, local governmental entities may not prohibit or impede any state or federal law enforcement agency from complying with federal immigration laws, and provides for remedies for violations. This bill further authorizes county corrections facilities to hold individuals subject to an Immigration and Customs Enforcement detention for up to 48 hours following the resolution of their state charges, excluding Saturdays, Sundays, and holidays, in order to permit assumption of custody by federal authorities, and requires any agency refusing to honor an immigration detainer for an inmate to report each such refusal to the attorney general.