SENATE ENROLLED ACT No. 423

AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 5-2-18.2-2.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.2. As used in this chapter, "postsecondary educational institution" refers to any state educational institution (as defined in IC 21-7-13-32) or private postsecondary educational institution that receives state or federal funds.

SECTION 2. IC 5-2-18.2-3, AS ADDED BY P.L.171-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. A governmental body or a postsecondary educational institution may not enact or implement an ordinance, a resolution, a rule, or a policy that prohibits or in any way restricts another governmental body or employee of a postsecondary educational institution, including a law enforcement officer, a state or local official, or a state or local government employee, from taking the following actions with regard to information of the citizenship or immigration status, lawful or unlawful, of an individual:

(1) Communicating or cooperating with federal officials.
(2) Sending to or receiving information from the United States Department of Homeland Security.
(3) Maintaining information.

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(4) Exchanging information with another federal, state, or local government entity.

SECTION 3. IC 5-2-18.2-4, AS ADDED BY P.L.171-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. A governmental body or a postsecondary educational institution may not limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law.

SECTION 4. IC 5-2-18.2-5, AS ADDED BY P.L.171-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. If a governmental body or a postsecondary educational institution violates this chapter, a person lawfully domiciled in Indiana may bring an action to compel the governmental body or postsecondary educational institution to comply with this chapter.

SECTION 5. IC 5-2-18.2-6, AS ADDED BY P.L.171-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. If a court finds that a governmental body or postsecondary educational institution knowingly or intentionally violated section 3 or 4 of this chapter, the court shall enjoin the violation.
President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _________________  Time: _______________

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