PRINTER'S NO. 750

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 737 Session of 2011

INTRODUCED BY RAFFERTY, BROWNE, EICHELBERGER, WAUGH, BREWSTER, FONTANA, ERICKSON, SCARNATI, ALLOWAY, PIPPY, BOSCOLA AND YUDICHAK, MARCH 4, 2011

REFERRED TO LAW AND JUSTICE, MARCH 4, 2011

AN ACT

Providing for a memorandum of understanding between the Commonwealth and the United States Department of Justice or Department of Homeland Security.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the Security and Immigration Compliance Act.

Section 2. Law enforcement.

(a) Memorandum of understanding.--The Pennsylvania State Police is authorized and directed to negotiate the terms of a memorandum of understanding between the Commonwealth and the United States Department of Justice or Department of Homeland Security concerning the enforcement of Federal immigration and customs laws, detention and removals and investigations in this Commonwealth.

(b) Signatures.--The memorandum of understanding shall be signed on behalf of the Commonwealth by the Commissioner of

Pennsylvania State Police and the Governor or as otherwise required by the appropriate Federal agency.

(c) Training.--

(1) (i) The Pennsylvania State Police shall designate appropriate law enforcement officers to be trained pursuant to the memorandum of understanding.

(ii) The training shall be provided only after receipt of adequate funding pursuant to the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329, 122 Stat. 3574) or any subsequent source of Federal funding.

(2) (i) In a county of the first class, the district attorney of the county may designate not more than four law enforcement officers to be trained pursuant to the memorandum of understanding.

(ii) In a county of the second class, second class A or third class, the district attorney of the county may designate not more than three law enforcement officers to be trained pursuant to the memorandum of understanding.

(iii) In any other county, the district attorney of the county may designate one law enforcement officer to be trained pursuant to the memorandum of understanding.

(d) Enforcement.--A law enforcement officer certified as trained in accordance with the memorandum of understanding shall be authorized to enforce Federal immigration and customs laws while performing within the scope of the officer's authorized duties.

Section 20. Effective date.

This act shall take effect in 60 days.