

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 890 Session of 2011

INTRODUCED BY MCILHINNEY, SCARNATI, RAFFERTY, GREENLEAF,
SOLOBAY, WAUGH, FOLMER, BREWSTER, MENSCH, ALLOWAY AND
TOMLINSON, MAY 3, 2011

REFERRED TO STATE GOVERNMENT, MAY 3, 2011

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, prohibiting the enactment of sanctuary
3 ordinances.

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

6 Section 1. Title 53 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 303. Sanctuary ordinances.

9 (a) Prohibition.--

10 (1) No municipality shall enact or adopt any sanctuary
11 policy. Any municipality that enacts or adopts a sanctuary
12 policy shall be ineligible for any money provided through
13 grants administered by a State agency or department until the
14 sanctuary policy is repealed or is no longer in effect.

15 (2) Upon the complaint of any State resident regarding a
16 municipality or prior to the provision of funds or awarding
17 of any grants to a municipality, the Attorney General shall
18 investigate and shall issue an opinion stating whether the

1 municipality has current policies in contravention of this
2 section.

3 (b) Notice.--The governing body or chief law enforcement
4 person of each municipality shall provide each law enforcement
5 officer with written notice of the duty to cooperate with
6 Federal and State agencies and officials on matters pertaining
7 to enforcement of Federal and State laws governing immigration.

8 (c) Definitions.--As used in this section, the following
9 words and phrases shall have the meanings given to them in this
10 subsection unless the context clearly indicates otherwise:

11 "Municipality official." Any elected or appointed official
12 who has the authority to enact or amend ordinances or any law
13 enforcement officer serving the municipality.

14 "Ordinance." An ordinance or a resolution of a municipality.

15 "Sanctuary policy." Any municipality's ordinance enacted or
16 followed that:

17 (1) Limits or prohibits any municipality official or
18 person employed by the municipality from communicating or
19 cooperating with Federal agencies or officials to verify or
20 report the immigration status of any alien within the
21 municipality.

22 (2) Grants to illegal aliens the right to lawful
23 presence or status within the municipality in violation of
24 Federal law.

25 Section 2. This act shall take effect in 60 days.