

# Senate Bill 1041

Sponsored by Senator BONHAM

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act tells police to notify ICE when arresting a person for some drug crimes and limits pretrial release. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 66.6).

Directs an arresting officer to notify federal immigration authorities when the officer arrests a person for delivery or manufacture of fentanyl. Limits pretrial release until the notification has occurred.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to persons arrested for fentanyl crimes; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) Notwithstanding ORS 181A.820 and 181A.822 to 181A.829, when a person**  
5 **is arrested for delivery or manufacture of fentanyl, the arresting officer shall immediately**  
6 **notify federal immigration authorities.**

7 **(2) Notwithstanding ORS 135.230 to 135.290, a person arrested for delivery or manufacture**  
8 **of fentanyl is not eligible for any form of release, except as required by the Oregon Consti-**  
9 **tution, until the notification described in subsection (1) of this section has occurred and**  
10 **federal immigration authorities have confirmed that the person does not need to be detained**  
11 **for violating federal immigration law.**

12 **(3) As used in this section, "federal immigration authorities" means agents of the United**  
13 **States Immigration and Customs Enforcement, or a successor agency, who receive reports**  
14 **of and investigate violations of immigration law.**

15 **SECTION 2. This 2025 Act being necessary for the immediate preservation of the public**  
16 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**  
17 **on its passage.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.