



HOUSE OF REPRESENTATIVES

*Kevin L. Mannix*

This floor letter relates to the minority report on HB 4114 A.

The total text of this minority report is:

**“SECTION 1. Notwithstanding any other provision of Oregon law, all state and local law enforcement agencies in this state shall cooperate with federal law enforcement authorities in carrying out any action concerning any person convicted of a crime constituting a felony or a Class A misdemeanor under Oregon law.”**

Please note this text only covers felonies and Class A misdemeanors. The minority report text does not address Class B misdemeanors, Class C misdemeanors or unclassified misdemeanors. The focus is on serious crimes.

The essential portion of Oregon’s Sanctuary Law is printed on the back of this page. This minority report does not change the sanctuary law in any fashion other than as stated in the minority report.

**180.805 Prohibited involvement of public bodies in federal immigration law enforcement; civil action.** (1) As used in this section:

(a) "Federal immigration authority" means the United States Department of Homeland Security, the United States Immigration and Customs Enforcement, the United States Citizenship and Immigration Services, the United States Customs and Border Protection or a successor agency, any other federal immigration agency or official, or any other entity to which a federal immigration agency delegates or assigns the authority to detect, investigate or enforce violations of immigration law.

(b) "Information concerning a person's citizenship or immigration status" means information about whether a person is a citizen of the United States or has lawful authority to be present in the United States, either through a visa, a green card or another official documentation. The term does not include information consisting of a person's address, location, contact information, relatives, associates or other information that could lead to the detection or apprehension of the person.

(c) "Public body" has the meaning given that term in ORS 174.109.

(d) "Social media" has the meaning given that term in ORS 659A.330.

(2) Except as required by state or federal law, a public body may not disclose, for the purpose of enforcement of federal immigration laws, the following information concerning any person, whether current or otherwise:

(a) The person's address;

(b) The person's workplace or hours of work;

(c) The person's school or school hours;

(d) The person's contact information, including telephone number, electronic mail address or social media account information;

(e) The identity of known associates or relatives of the person;

(f) The date, time or location of the person's hearings, proceedings or appointments with the public body that are not matters of public record; or

(g) Information described in paragraphs (a) through (f) of this subsection with respect to known relatives or associates of the person.

(3) Except as required by state or federal law, or as necessary to determine eligibility for a benefit a person is seeking, a public body may not inquire about or request information concerning a person's citizenship or immigration status.

(4)(a) If a public body collects information concerning a person's citizenship or immigration status, the public body shall decline to disclose the information unless disclosure is required by:

(A) State or federal law;

(B) A court order; or

(C) A warrant authorized by a court.

(b) Nothing in this subsection:

(A) Prevents a person from obtaining records about the person or the person's dependents from a public body; or

(B) Authorizes a public body to withhold aggregated information that is not personally identifiable.

(5) A public body shall, within six months of August 15, 2017, and every year thereafter, review the public body's confidentiality policies to ensure that the public body treats information concerning a person's citizenship or immigration status, and information described in subsection (2) of this section, in a manner consistent with this section and ORS 180.810.

(6) Any person may bring a civil action against a law enforcement agency or public body that violates subsection (2) or (3) of this section to enjoin the violation. [2017 c.724 §1; 2021 c.550 §8]