



# Texas “Anti-Sanctuary City” Bill (SB 4)

## Talking Points

Texas Senate Bill 4 takes sweeping action to abolish sanctuary cities and other sanctuary jurisdictions. It does so by requiring full cooperation between Texas law enforcement agencies and federal immigration authorities and enabling the Attorney General’s office to take legal action against sanctuary jurisdictions.

### **BILL SUMMARY**

- Abolishes sanctuary cities, counties, campuses and government agencies throughout the State
- Forbids policies and practices that “prohibit or materially limit the enforcement of immigration laws”
- Prohibits restrictions on state and local government employees from investigating and inquiring about immigration status, sharing information with federal immigration authorities, or cooperating with them
- Authorizes sworn citizen complaints to the Attorney General, who may then sue to stop sanctuary policies, to impose daily civil penalties of \$1000-1500 for the first violation and \$25000 for subsequent violations, and to remove officials from office
- Requires all state and local law enforcement agencies to comply with immigration detainers unless the person being held provides proof of US citizenship or lawful immigration status
- Requires the final seven days of a state-law criminal sentence for anyone held on a detainer to be served in federal custody, in order to ensure they’re seamlessly transferred
- Requires the Attorney General to defend lawsuits against local governments for good-faith compliance with detainers, and for the State to assume liability for all expenses from such suits
- Makes law enforcement knowingly failing to comply with a detainer a Class A Misdemeanor (punishable by up to a year in jail and up to a \$4000 fine)

### **BILL HISTORY**

#### **Legislative timeline:**

- 11/15/16 filed by Senator Charles Perry
- 2/8/17 passed by the Senate
- 4/27/17 passed by the House
- 5/7/17 signed by Governor Abbott

#### **Litigation timeline:**

- 5/22/17 cities and counties sue the State
- 6/23/17 US Justice Department files briefs siding with the State
- 8/30/17 US District Court Judge Orlando Garcia blocks most of the bill
- 9/25/17 Fifth Circuit reverses Judge Garcia, most of the bill goes into effect

**To learn more about why the sanctuary city policies SB 4 abolishes are harmful and dangerous:**

<https://fairus.org/issue/illegal-immigration/sanctuary-policy-bad-public-policy>