

**SUBSTITUTE FOR  
HOUSE BILL NO. 4105**

A bill to prohibit local units of government from enacting or enforcing any law, ordinance, policy, or rule that limits local officials, officers, or employees from communicating or cooperating with appropriate federal officials concerning the immigration status of individuals; to prescribe the powers and duties of certain state and local officers, officials, and employees; and to prescribe penalties and remedies.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**           Sec. 1. This act shall be known and may be cited as the "local  
**2** government sanctuary policy prohibition act".

**3**           Sec. 3. As used in this act, "local unit of government" means  
**4** any of the following:

1 (a) A city, village, township, or charter township.

2 (b) A board, department, commission, council, agency, or body  
3 that is created or primarily funded by a city, village, township,  
4 or charter township.

5 (c) An officer or official of a city, village, township, or  
6 charter township.

7 Sec. 5. A local unit of government shall not enact or enforce  
8 any law, ordinance, policy, or rule that limits or prohibits a  
9 peace officer or local official, officer, or employee from  
10 communicating or cooperating with appropriate federal officials  
11 concerning the immigration status of an individual in this state.  
12 Any law, ordinance, policy, or rule that violates this act is void  
13 and unenforceable.

14 Sec. 7. Not later than 60 days after the effective date of  
15 this act, if a local unit of government has an existing law,  
16 ordinance, policy, or rule that violates this act, the local unit  
17 of government shall bring that law, ordinance, policy, or rule into  
18 compliance with this act.

19 Sec. 9. Beginning 61 days after the effective date of this  
20 act, if a local unit of government has, enacts, or enforces a law,  
21 ordinance, policy, or rule that violates this act, an individual  
22 who is a resident of that local unit of government may do either of  
23 the following:

24 (a) Bring an action to enforce this act in the circuit court  
25 in the judicial district in which that local unit of government is  
26 located.

27 (b) File a complaint with the attorney general on a form

1 prescribed by the attorney general.

2       Sec. 11. (1) The attorney general may receive complaints  
3 regarding violations of this act and investigate those complaints.  
4 A local unit of government shall cooperate with any investigation  
5 conducted by the department of the attorney general concerning a  
6 violation of this act.

7       (2) Beginning 61 days after the effective date of this act, if  
8 a local unit of government enacts or enforces a law, ordinance,  
9 policy, or rule that violates this act, the attorney general shall  
10 bring an action to enforce this act in the circuit court in the  
11 judicial district in which that local unit of government is  
12 located.

13       Sec. 13. (1) If an individual brings an action as described in  
14 section 9, or if the attorney general brings an action as described  
15 in section 11, and the court determines that the law, ordinance,  
16 policy, or rule of the local unit of government violates this act,  
17 the court shall do all of the following:

18       (a) Issue an injunction restraining the local unit of  
19 government from enforcing the law, ordinance, policy, or rule.

20       (b) Order the local unit of government to amend or repeal the  
21 law, ordinance, policy, or rule.

22       (c) Award actual damages, costs, and reasonable attorney fees  
23 to the party challenging the law, ordinance, policy, or rule.

24       (2) In addition to the requirements under subsection (1), if  
25 the court determines that an elected or appointed official of the  
26 local unit of government knowingly and willfully enacted or  
27 enforced a law, ordinance, policy, or rule in violation of this

1 act, then the court shall assess a civil fine of not less than  
2 \$2,500.00 or more than \$7,500.00 against that elected or appointed  
3 official, which is in addition to any other penalty provided by  
4 law.