

HOUSE BILL NO. 4998

September 19, 2019, Introduced by Reps. Wittenberg, Hammoud, Brixie, Manoogian, Hood, Yancey, Garza, Sowerby, Pagan, Tyrone Carter and Peterson and referred to the Committee on Military, Veterans and Homeland Security.

A bill to create the immigration status inquiry and information collection act; and to prohibit certain inquiries, certain information collection, and the provision of information by certain individuals.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "immigration status inquiry and information collection act".

3 Sec. 2. As used in this act:



1 (a) "Citizenship" means the status of an individual under
2 custom or law as being or not being a legal member of a sovereign
3 state.

4 (b) "Employee of a health facility or agency" means an
5 employee of a health facility or agency licensed under article 17
6 of the public health code, 1978 PA 368, MCL 333.20101 to 333.22260.

7 (c) "Federal immigration authority" means any officer,
8 employee, or person otherwise paid by or acting as an agent of
9 United States Immigration and Customs Enforcement or United States
10 Customs and Border Protection, or any division thereof, or any
11 other officer, employee, or person otherwise paid by or acting as
12 an agent of the United States Department of Homeland Security who
13 is charged with immigration enforcement.

14 (d) "Law enforcement officer" means that term as defined in
15 section 2 of the Michigan commission on law enforcement standards
16 act, 1965 PA 203, MCL 28.602.

17 (e) "Physician or other health professional" means an
18 individual who is licensed, registered, certified, or otherwise
19 authorized to engage in a health profession under article 15 of the
20 public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

21 Sec. 3. (1) Notwithstanding any other provision of law and
22 except as otherwise provided in this subsection, a law enforcement
23 officer, employee of a health facility or agency, or physician or
24 other health professional shall not inquire into the immigration or
25 citizenship status of an individual or citizen with whom he or she
26 comes into contact as a result of engaging in his or her duties as
27 a law enforcement officer, employee of a health facility or agency,
28 or physician or other health professional. A law enforcement
29 officer, employee of a health facility or agency, or physician or



1 other health professional may inquire into the immigration or
2 citizenship status of an individual with whom he or she comes into
3 contact as a result of engaging in his or her duties as a law
4 enforcement officer, employee of a health facility or agency, or
5 physician or other health professional if the inquiry relates to a
6 legitimate law enforcement purpose that is unrelated to the
7 enforcement of a civil immigration law, or is required by state or
8 federal law to verify the eligibility of an individual for a
9 benefit, service, or license.

10 (2) Notwithstanding any other provision of law, a law
11 enforcement officer shall not voluntarily release personally
12 identifiable data or information to a federal immigration authority
13 regarding an individual's release date, home address, or any other
14 information that may be used to ascertain an individual's religion,
15 ethnicity, or race, unless the release of the data or information
16 is for a legitimate law enforcement purpose unrelated to the
17 enforcement of a civil immigration law.

18 (3) Notwithstanding any other provision of law, an employee of
19 a health facility or agency or a physician or other health
20 professional who receives information regarding an individual's
21 immigration or citizenship status with whom he or she comes into
22 contact as a result of engaging in his or her duties as an employee
23 of a health facility or agency or a physician or other health
24 professional shall treat that information confidentially in the
25 same manner as an individual's personal and medical records as
26 provided in section 20201(2)(c) of the public health code, 1978 PA
27 368, MCL 333.20201.

28 Enacting section 1. This act takes effect 90 days after the
29 date it is enacted into law.

