

**SECTION 102.  
PROHIBITION OF NON-COOPERATION PRACTICES BY STATE AND LOCAL  
GOVERNMENT ENTITIES. <sup>1</sup>**

**IRLI Comment:** Like Section 101, the text of this “anti-sanctuary” statute mirrors the federal restrictions. This protects the statute against legal challenges based on constitutional claims of preemption. The statute also gives implied whistleblower protection to state and local personnel who have been forced by local politicians who advocate defiance of the federal immigration system to choose between obeying federal and state law. The text does not contain an enforcement clause. IRLI recommends private party enforcement by creation of a private mandamus or declaratory action in state court to compel compliance by recalcitrant agencies.

(A) No local government in this state, whether acting through its governing body or by an initiative, referendum, or any other process, shall enact any ordinance or policy that limits or prohibits a law enforcement officer, official, or employee of an agency of a local government or political subdivision in this state from communicating or cooperating with federal officials with regard to the immigration status of any person within this state.

(B) Notwithstanding any other provision of law, no government entity or official within the State of ##### may prohibit, or in any way restrict, any government entity or official from sending to, or receiving from the United States Department of Homeland Security, information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

(C) Notwithstanding any other provision of law, no person or agency may prohibit, or in any way restrict, a public employee from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

1. Sending such information to, or requesting or receiving such information from the United States Department of Homeland Security or the United States Department of Justice;
2. Maintaining such information; or
3. Exchanging such information with any other federal, state, or local government entity.

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<sup>1</sup> Source: OK HB 1804 § 10.C-E; 8 U.S.C. §§ 1373 and 1644.