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**HOUSE BILL NO. 2623**

Offered January 13, 2025

*A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.8, relating to failure of Commonwealth or locality to communicate or cooperate with U.S. Immigration and Customs Enforcement; waiver of sovereign immunity.*

Patron—Fowler

Referred to Committee on Public Safety

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.8 as follows:**

***§ 8.01-44.8. Failure of Commonwealth or locality to notify Immigration and Customs Enforcement before release of person in United States illegally; waiver of sovereign immunity.***

*Notwithstanding any other provision of law, if (i) the Commonwealth adopts any rule, regulation, or policy or passes any law or (ii) any locality adopts any ordinance, resolution, or motion that impedes the ability of law-enforcement officers, corrections officers, or jail officers to communicate or cooperate with U.S. Immigration and Customs Enforcement about any person in the United States illegally, including prohibiting such officers from notifying U.S. Immigration and Customs Enforcement prior to such person's release from a state, local, or regional correctional facility, the Commonwealth or such locality waives its sovereign immunity as it relates to any injuries or damages sustained by victims of crimes committed by such person in the United States illegally. The provisions of this section shall apply where such person in the United States illegally benefited from the Commonwealth's or locality's failure to communicate with U.S. Immigration and Customs Enforcement about or cooperate with a detainer issued for such person.*

INTRODUCED

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