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SENATE BILL NO. 783

Offered January 22, 2026

A BILL to amend and reenact § 52-30.2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-1726.1, relating to law-enforcement agencies or localities; agreements with federal authority for certain immigration enforcement; limitations; collection of data.

Patrons—Salim, Boysko, Ebbin, Favola, Pekarsky, Srinivasan and Williams Graves

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 52-30.2 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 15.2-1726.1 as follows:

§ 15.2-1726.1. Agreements with federal authority for performance of immigration officer functions.

A. For the purposes of this section:

"Law-enforcement agency" means any state or local agency that employs law-enforcement officers and that has as its principal function the enforcement of the laws of the Commonwealth and its localities. "Law-enforcement agency" includes the following to the extent that such agency performs law-enforcement functions: any sheriff's office, any police department, any probation or parole office, the Department of Corrections, the Marine Resources Commission, the Virginia Department of Wildlife Resources, local and regional jail authorities, and any other agency or department in the Commonwealth created to enforce the laws of the Commonwealth and its localities.

"Law-enforcement officer" means any law-enforcement officer, as defined in § 9.1-101, who is employed by the law-enforcement agency or locality that enters into a written agreement pursuant to subsection B. The term "law-enforcement officer" includes any law-enforcement officer of such agency or locality regardless of whether such officer has been identified, determined, or trained pursuant to such agreement to perform a function of an immigration officer.

B. No agency of the Commonwealth, law-enforcement agency, law-enforcement officer, or locality shall enter into an agreement authorizing any law-enforcement officer or employee to perform a function of an immigration officer unless such agreement is in writing and includes the following provisions:

1. That no law-enforcement officer shall inquire as to the citizenship of an individual during a routine motor vehicle stop;

2. That no agency or employee of the Commonwealth, law-enforcement agency, local law-enforcement officer, or locality shall engage in conduct relating to the enforcement of immigration laws on the property of a school, hospital, courthouse, or house of worship;

3. That no school or health care provider of the Commonwealth shall share immigration information with U.S. Immigration and Customs Enforcement unless presented with a judicially authorized warrant;

4. That any person investigated, arrested, or detained for an immigration purpose pursuant to such agreement shall be afforded procedural and due process rights in the same manner as any person investigated, arrested, or detained for a violation of criminal law;

5. That the agency of the Commonwealth, law-enforcement agency, or locality shall be reimbursed for the total costs associated with the detention of an individual for an immigration purpose;

6. That such agreement shall be effective for no longer than two years; and

7. That no agency or employee of the Commonwealth, law-enforcement agency, or law-enforcement officer shall provide assistance with surveillance, investigation, prosecution, or immigration enforcement operation if there is any reason to believe that such assistance may result in:

a. Bias-based profiling, unlawful surveillance, unlawful detention, or any other violation of the Constitution of the United States, the Constitution of Virginia, or provision of state or federal law prohibiting the deprivation of a person's liberty or rights; or

b. Any request (i) to identify, apprehend, arrest, or impose civil or criminal liability or other penalty on a person or entity for engaging in any activity protected by the First Amendment to the Constitution of the United States or Article I, Section 12 of the Constitution of Virginia or (ii) for enforcement of federal immigration law, including detention, removal, or deportation.

C. No local law-enforcement agency or locality shall use local tax revenues for any purpose relating to the immigration functions authorized by the written agreement pursuant to subsection B unless the reimbursement provision in accordance with subdivision B 5 is included in such written agreement.

D. No agency of the Commonwealth, law-enforcement agency, or locality shall enter into a new agreement or renew an existing agreement authorizing any law-enforcement officer or employee of the Commonwealth or locality to perform a function of an immigration officer without written approval from the

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59 *Attorney General consistent with the provisions of this section and other applicable state law.*

60 **§ 52-30.2. Prohibited practices; collection of data.**

61 A. No State Police officer shall engage in bias-based profiling in the performance of his official duties.

62 B. State Police officers shall collect data pertaining to (i) all investigatory motor vehicle stops, (ii) all
63 stop-and-frisks of a person based on reasonable suspicion, and (iii) all other investigatory detentions that do
64 not result in an arrest or the issuance of a summons to be reported into the Community Policing Reporting
65 Database. State Police officers shall submit the data to their commanding officers, who shall forward it to the
66 Superintendent of State Police.

67 C. Each time a law-enforcement officer, *as defined in § 9.1-101*, or State Police officer stops a driver of a
68 motor vehicle, stops and frisks a person based on reasonable suspicion, or temporarily detains a person during
69 any other investigatory stop, such officer shall collect the following data based on the officer's observation or
70 information provided to the officer by the driver: (i) the race, ethnicity, age, gender of the person stopped,
71 and whether the person stopped spoke English; (ii) the reason for the stop; (iii) whether a notification from an
72 automatic license plate recognition system, as defined in § 2.2-5517, was received for the motor vehicle prior
73 to such stop, and if so, the specific reason for the notification as set forth in subsection D of § 2.2-5517; (iv)
74 the location of the stop; (v) whether a warning, written citation, or summons was issued or whether any
75 person was arrested; (vi) if a warning, written citation, or summons was issued or an arrest was made, the
76 warning provided, violation charged, or crime charged; (vii) whether the vehicle or any person was searched;
77 ~~and~~ (viii) whether the law-enforcement officer or State Police officer used physical force against any person
78 and whether any person used physical force against any officers; *and (ix) whether a federal immigration*
79 *officer was present when the stop was conducted and, if so, if such federal immigration officer took any*
80 *action that, if committed by any person not acting under the color of federal law, would constitute a violation*
81 *of state law.*

82 D. Each state and local law-enforcement agency shall collect the number of complaints the agency
83 receives alleging the use of excessive force.

84 **2. That the provisions of § 15.2-1726.1 of the Code of Virginia, as created by this act, shall expire on**
85 **June 30, 2028.**

86 **3. That pursuant to the provisions of this act, any law-enforcement agency that has an existing written**
87 **agreement authorizing any law-enforcement officer to perform a function of a federal immigration**
88 **officer or to enforce federal immigration law shall seek written approval of such existing written**
89 **agreement from the Attorney General in accordance with the provisions of subsection D of**
90 **§ 15.2-1726.1 of the Code of Virginia, as created by this act. Upon a determination that such written**
91 **agreement does not comply with the provisions of this act, the Attorney General may require such law-**
92 **enforcement agency to amend or terminate such written agreement.**