

1 SENATE BILL NO. 783
 2 AMENDMENT IN THE NATURE OF A SUBSTITUTE
 3 (Proposed by the Senate Committee for Courts of Justice
 4 on _____)
 5 (Patron Prior to Substitute—Senator Salim)

6 A *BILL* to amend the Code of Virginia by adding a section numbered 15.2-1726.1, relating to law-
 7 enforcement agencies; agreements with federal authority for immigration enforcement; requirements.

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

9 **1. That the Code of Virginia is amended by adding a section numbered 15.2-1726.1 as follows:**

10 **§ 15.2-1726.1. Immigration enforcement agreements with federal authority; required provisions.**

11 *A. For the purposes of this section:*

12 *"Federal immigration enforcement agreement" means an agreement with U.S. Immigration and Customs*
 13 *Enforcement pursuant to 8 U.S.C. 1357(g) authorizing a law-enforcement officer or employee of the*
 14 *Commonwealth or any of its localities to perform a function of a federal immigration officer.*

15 *"Law-enforcement agency" means any state or local agency that employs law-enforcement officers and*
 16 *that has as its principal function the enforcement of the laws of the Commonwealth and its localities. "Law-*
 17 *enforcement agency" includes any sheriff's office, any police department, the Department of State Police, or*
 18 *any other local or state agency or department that performs law-enforcement functions or that was created to*
 19 *enforce the laws of the Commonwealth and its localities.*

20 *B. No law-enforcement agency shall maintain, renew, or enter into any federal immigration enforcement*
 21 *agreement unless such agreement includes the following provisions:*

22 *1. That U.S. Immigration and Customs Enforcement shall provide to the law-enforcement agency the*
 23 *names and ranks of all federal agents involved in any immigration enforcement activity within the*
 24 *Commonwealth at least seven days prior to engaging in such immigration enforcement activity;*

25 *2. That any federal agent operating pursuant to the federal immigration enforcement agreement shall*
 26 *comply with all applicable laws of the Commonwealth while conducting any immigration enforcement*
 27 *activity within the Commonwealth;*

28 *3. That any federal agent operating pursuant to the federal immigration enforcement agreement shall be*
 29 *clearly identified as an agent of U.S. Immigration and Customs Enforcement. No such clear identification*
 30 *shall include wearing any uniform or displaying the word "police" on any uniform, vehicle, or equipment*
 31 *while conducting any immigration enforcement activity within the Commonwealth;*

32 *4. That no agent of U.S. Immigration and Customs Enforcement shall conduct any immigration*

33 *enforcement activity on the property of any school, church, or courthouse within the Commonwealth;*

34 *5. That, by entering into such federal immigration enforcement agreement, U.S. Immigration and Customs*
35 *Enforcement and its agents consent to the jurisdiction of the courts of the Commonwealth for any civil or*
36 *criminal proceedings arising from any violation of the provisions of this section or for any violation of the*
37 *laws of the Commonwealth committed while acting in the performance of their official duties pursuant to*
38 *such federal immigration enforcement agreement;*

39 *6. That neither U.S. Immigration and Customs Enforcement nor its agents shall make general requests or*
40 *demands for information from any agency or entity of the Commonwealth or its localities that are not related*
41 *to the investigation of a specific person; and*

42 *7. That neither U.S. Immigration and Customs Enforcement nor any of its agents shall request*
43 *information from any locality within the Commonwealth regarding the immigration or citizenship status of*
44 *any person unless such request is made pursuant to a valid judicial warrant or judicial subpoena.*

45 *C. Any law-enforcement agency that has an existing federal immigration enforcement agreement that is in*
46 *effect on July 1, 2026, shall obtain in writing no later than September 1, 2026, a modified federal*
47 *immigration enforcement agreement that complies with the conditions provided in subsection B. Any federal*
48 *immigration enforcement agreement that is not modified in accordance with the provisions of this subsection*
49 *shall be deemed void and unenforceable.*

50 *D. Any federal immigration enforcement agreement entered into or maintained in violation of this section*
51 *shall be void and unenforceable.*

52 *E. In addition to any other available right or remedy, the Attorney General, an attorney for the*
53 *Commonwealth, or a county or city attorney may enforce the provisions of this section and the conditions*
54 *provided in subsection B by seeking injunctive or declaratory relief. The prevailing party in any such action*
55 *shall be entitled to recover reasonable attorney fees and costs.*