**South Carolina General Assembly**

125th Session, 2023-2024

**S. 1149**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senators Garrett, Loftis, Rice, Verdin, Alexander, Gambrell, Corbin, Climer, Reichenbach, Kimbrell, Gustafson, M. Johnson, Talley, Turner, Bennett and Massey

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Introduced in the Senate on March 12, 2024

Currently residing in the Senate Committee on **Judiciary**

Summary: Illegal Immigration

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/12/2024 Senate Introduced and read first time ([Senate Journal‑page 4](h:\sj\20240312.docx))

3/12/2024 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 4](h:\sj\20240312.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=1149&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/12/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1149_20240312.docx)

A joint Resolution

TO DIRECT THE STATE LAW ENFORCEMENT DIVISION TO ENTER INTO A 287(G) AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT SO THAT THE STATE LAW ENFORCEMENT DIVISION CAN exercise sPECIFIED Federal IMMIGRATION OFFICER FUNCTIONS; TO ENCOURAGE THE SHERIFFs IN CERTAIN COUNTIES TO CONSIDER ENTERING INTO A 287(G) AGREEMENT; AND TO DIRECT THE SHERIFFs IN CERTAIN COUNTIES who are ALREADY signatories to A 287(G) AGREEMENT TO EXERCISE THEIR POWERS AND DUTIES UNDER THE AGREEMENT TO FULLEST EXTENT POSSIBLE.

Be it enacted by the General Assembly of the State of South Carolina:

Whereas, the situation on our nation’s southern border continues to worsen, with hoards of illegal immigrants streaming into the United States.

Whereas, Congress and the President have failed to take action to stem the tide and we are feeling the effects of that failure across our State.

Whereas, the United States Immigration and Customs Enforcement agency is in serious need of assistance to fulfill their mandate.

Whereas, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 added Section 287(g) to the Immigration and Nationality Act (INA), authorizing U.S. Immigration and Customs Enforcement to delegate to state and local law enforcement officers the authority to perform specified immigration officer functions under the agency’s direction and oversight.

Whereas, the Horry County, Lexington County, and York County Sheriff's Office have each entered into a 287(g) agreement with U.S. Immigration and Customs Enforcement to identify and process removable noncitizens — those with criminal or pending criminal charges — who are arrested in those counties.

Whereas, U.S. Immigration and Customs Enforcement also offers a 287(g) program model that allows U.S. Immigration and Customs Enforcement to train, certify, and authorize state and local law enforcement officers to serve and execute administrative warrants on noncitizens in their agency’s jail.

SECTION 1. The Director of the State Law Enforcement Division is directed to engage with U.S. Immigration and Customs Enforcement to execute the necessary agreements to operate either or both of the 287(g) program models available to state and local law enforcement agencies. The director shall report to the General Assembly on or before January 1, 2025 concerning the State Law Enforcement Division’s progress in fulfilling the directive contained herein.

SECTION 2. The sheriffs in each of the several counties other than the sheriffs of Horry County, Lexington County, and York County are encouraged to research the two 287(g) program models and pursue the necessary agreements to operate either or both program models if they determine that either or both models would be beneficial to the residents is their county.

SECTION 3. The sheriffs in Horry County, Lexington County, and York County are directed to exercise the powers and duties delegated to those counties by U.S. Immigration and Customs Enforcement to fullest extent possible.

SECTION 4. This joint resolution takes effect upon approval by the Governor.

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