

HOUSE No. 2296

The Commonwealth of Massachusetts

PRESENTED BY:

Antonio F. D. Cabral

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to enforcing federal law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>1/20/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/25/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/26/2023</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>1/26/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/27/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>1/30/2023</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>2/1/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/7/2023</i>

HOUSE No. 2296

By Representative Cabral of New Bedford, a petition (accompanied by bill, House, No. 2296) of Antonio F. D. Cabral and others relative to enforcement of certain federal law by sheriffs and employees of correctional institutions. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to enforcing federal law.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 37 of the General Laws, as appearing in the 2020 Official Edition,
2 is hereby amended by adding the following section:

3 Section 27. Agreements to Enforce Federal Law

4 (a) Sheriffs and their employees may only perform functions pursuant to an agreement
5 described in 8 U.S.C. § 1357(g) if the costs of such performance, including employee
6 compensation, are borne solely by the Federal government and there is a state statute explicitly
7 authorizing such agreements.

8 (b) The Sheriff shall keep books, records and accounts of all activities under this section,
9 which shall be open to inspection and shall be annually reported to the house and senate
10 committees on ways and means, the joint committee on the judiciary and the joint committee on
11 public safety and homeland security. Said book shall be a public record, as defined in clause 27
12 of section 7 of chapter 4 of the General Laws.

13 SECTION 2. Chapter 124 of the General Laws, as so appearing, is hereby amended by
14 adding the following section:

15 Section 11. Agreements to Enforce Federal Law.

16 (a) Any employee of the department of corrections, jail, houses of corrections, or other
17 correctional institutions of the Commonwealth may only perform functions pursuant to an
18 agreement described in 8 U.S.C. § 1357(g) if the costs of such performance, including employee
19 compensation, are borne solely by the Federal government and there is a state statute explicitly
20 authorizing such agreements.

21 (b) The commissioner of correction shall keep books, records and accounts of all
22 activities under this section, which shall be open to inspection and shall be annually reported to
23 the house and senate committees on ways and means, the joint committee on the judiciary and
24 the joint committee on public safety and homeland security. Said book shall be a public record,
25 as defined in clause 27 of section 7 of chapter 4 of the General Laws.