



2025 ASSEMBLY BILL 57

February 24, 2025 - Introduced by Representatives ORTIZ-VELEZ, HONG, ARNEY, BARE, BROWN, CLANCY, CRUZ, DESMIDT, GOODWIN, HAYWOOD, JOERS, KIRSCH, MADISON, MAYADEV, MOORE OMOKUNDE, NEUBAUER, PHELPS, PRADO, RIVERA-WAGNER, ROE, SINICKI, SNODGRASS, SUBECK and TENORIO, cosponsored by Senators CARPENTER, DRAKE, LARSON and RATCLIFF. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT to create** 20.932 of the statutes; **relating to:** requirements concerning
2 assistance in the detention of individuals who are or are alleged to be not
3 lawfully present in the United States.

Analysis by the Legislative Reference Bureau

Under this bill, no official, employee, or agent of a state agency or other body in state government or a local governmental unit, including any law enforcement officer, may aid in the detention of an individual if the individual is being detained on the sole basis that the individual is or is alleged to be not lawfully present in the United States. The bill applies only to a detention that occurs in a public building or facility, school, place of worship, place where child care services are provided, or place where medical or other health care services are provided. Also, the bill does not prohibit any state or local government official from providing access to any place or facility as required pursuant to a properly executed judicial warrant.

The bill further provides that, except as required pursuant to a properly executed judicial warrant, no person employed or otherwise lawfully present at a public building or facility, school, place of worship, place where child care services are provided, or place where medical or other health care services are provided may be required to provide access to such facility or place or otherwise aid federal officials for purposes of the detention of an individual at such facility or place who is

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being detained on the sole basis that the individual is or is alleged to be not lawfully present in the United States.

Finally, the bill prohibits any state agency or other body in state government from expending any moneys to aid in the detention of an individual in this state if the individual is being detained on the sole basis that the individual is or is alleged to be not lawfully present in the United States.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.932 of the statutes is created to read:

2 **20.932 Requirements concerning assistance in the detention of**
3 **certain individuals. (1) DEFINITIONS.** In this section:

4 (a) “Local governmental unit” means a political subdivision, a special purpose
5 district, an agency or corporation of a political subdivision or special purpose
6 district, a school district, or a combination or subunit of any of the foregoing, in this
7 state.

8 (b) “State agency” means an association, authority, board, department,
9 commission, independent agency, institution, office, society, or other body in state
10 government created or authorized to be created by the constitution or any law.

11 **(2) PROHIBITING ASSISTANCE BY STATE AND LOCAL OFFICIALS.** (a) No official,
12 employee, or agent of a state agency or local governmental unit, including any law
13 enforcement officer, may aid in the detention of an individual if the individual is
14 being detained on the sole basis that the individual is or is alleged to be not lawfully
15 present in the United States and the detention occurs in a building or facility owned
16 or operated by a state agency or local governmental unit, school, place of worship,
17 place where child care services are provided, or place where medical or other health
18 care services are provided.

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1 (b) Paragraph (a) does not prohibit an official, employee, or agent of a state
2 agency or local governmental unit from providing access to any place or facility as
3 required pursuant to a properly executed judicial warrant.

4 **(3) NO ASSISTANCE REQUIRED ABSENT JUDICIAL WARRANT.** Except as required
5 pursuant to a properly executed judicial warrant, no person employed or otherwise
6 lawfully present at a facility owned or operated by a state agency or local
7 governmental unit, school, place of worship, place where child care services are
8 provided, or place where medical or other health care services are provided may be
9 required to provide access to such facility or place or otherwise aid federal officials
10 for purposes of the detention of an individual at such facility or place who is being
11 detained on the sole basis that the individual is or is alleged to be not lawfully
12 present in the United States.

13 **(4) EXPENDITURE OF STATE FUNDS.** No state agency may expend moneys to aid
14 in the detention of an individual in this state if the individual is being detained on
15 the sole basis that the individual is or is alleged to be not lawfully present in the
16 United States.

17 **(END)**