

Senate Bill 389

By: Senators Jackson of the 41st, Jones II of the 22nd, Parent of the 44th, Rahman of the 5th, Merritt of the 9th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to
2 general provisions concerning law enforcement officers and agencies, so as to require
3 covered immigration officers to wear visible identification during public immigration
4 enforcement functions; to provide specifications for such identification; to prohibit such
5 officers from wearing face coverings during such functions; to provide for definitions; to
6 provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general
10 provisions concerning law enforcement officers and agencies, is amended by adding a new
11 Code section to read as follows:

12 "35-1-17.1.

13 (a) As used in this Code section, the term:

14 (1) 'Covered immigration officer' means a person who is authorized to perform
15 immigration enforcement functions and who is an officer or employee of United States
16 Immigration and Custom Enforcement.

17 (2) 'Public immigration enforcement function' means any activity that involves the direct
18 exercise of federal immigration authority through public-facing operations, including, but
19 not limited to, patrol, stops, arrests, searches, interviews to determine immigration status,
20 raids, checkpoint inspections, and service of judicial or administrative warrants. Such
21 term does not include covert, nonpublic-facing operations or nonenforcement activities.

22 (3) 'Visible identification' means the display of 'United States Immigration and Custom
23 Enforcement' or 'ICE,' along with the covered immigration officer's last name or badge
24 identification number, all in a size and format that complies with the requirements of
25 subsection (c) of this Code section.

26 (b) A covered immigration officer who directly engages in a public immigration
27 enforcement function within this state shall wear visible identification at all times during
28 such function.

29 (c) The visible identification required by subsection (b) of this Code section shall:

30 (1) Display 'United States Immigration and Custom Enforcement' or 'ICE' in a size and
31 format that is clearly legible from a distance of not less than 25 feet, using materials or
32 markings suitable for visibility in both daylight and low-light conditions under normal
33 operational conditions;

34 (2) Display the covered immigration officer's last name or badge identification number
35 in a manner that is clearly visible and readable during any public immigration
36 enforcement function; and

37 (3) Be worn on the covered immigration officer's outermost garment or gear and shall
38 not be hidden, concealed, or covered by tactical equipment, body armor, or accessories.

39 (d) A covered immigration officer shall not wear nonmedical face coverings, including
40 masks, hoods, or balaclavas, which impair the visibility of the identifying information
41 required under this Code section or hide, conceal, or cover such officer's face unless such
42 face covering is necessary to protect the integrity of a covert, nonpublic operation or to
43 guard against hazardous environmental conditions."

44

SECTION 2.

45 All laws and parts of laws in conflict with this Act are repealed.