



SENATE BILL 153: North Carolina Border Protection Act, Part I: Cooperation with Federal Immigration Officials

2025-2026 General Assembly

Analysis of: S.L. 2026-19, Part I

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Part I of S.L. 2026-19 (Senate Bill 153), as amended by Sections 5.9(b1) through 5.9(b4) of S.L. 2026-41 (Senate Bill 257), directs the Secretary of the Department of Public Safety (DPS), the Secretary of the Department of Adult Correction (DAC), the Commander of the State Highway Patrol (SHP), and the Director of the State Bureau of Investigation (SBI) to do all the following:

- Enter into Memorandums of Agreement (MOAs) with the Director of U.S. Immigration and Customs Enforcement (ICE) pursuant to Section 287(g) of the Immigration and Nationality Act (8 U.S.C. § 1357(g)) to perform immigration law enforcement functions under the supervision of ICE.
- Develop policies requiring employees of each agency to do all the following:
 - Have employees attempt to determine if any person in the custody of or under the supervision of the agency is a legal resident or citizen of the United States by asking the person questions or examining relevant documents.
 - If an employee cannot determine a person's status by conducting the above inquiry, then the employee is required to make an ICE query.
 - If an employee determines that the person is not a legal resident or citizen of the United States, then the employee is required to provide information requested by ICE.
- Cooperate to the fullest extent allowed by law with ICE.
- Report the MOAs and policies required by this act to the Joint Legislative Oversight Committee on Justice and Public Safety no later than October 1, 2026.

The State Auditor is required to perform an audit to determine that agencies are complying with the above requirements and report those results to the General Assembly no later than December 31, 2026.

This act was vetoed by the Governor on June 20, 2025, and that veto was overridden by the General Assembly on June 24, 2026. This Part became effective June 24, 2026.

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