

119TH CONGRESS
2^D SESSION

H. R. 7423

To amend section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) to clarify and strengthen requirements relating to information sharing between State and local governments and Federal immigration authorities, to prohibit State and local policies that materially restrict such information sharing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2026

Mr. CARTER of Georgia introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) to clarify and strengthen requirements relating to information sharing between State and local governments and Federal immigration authorities, to prohibit State and local policies that materially restrict such information sharing, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “No Sanctuary Cities
3 Act of 2026”.

4 **SEC. 2. AMENDMENT TO THE ILLEGAL IMMIGRATION RE-**
5 **FORM AND IMMIGRANT RESPONSIBILITY ACT**
6 **OF 1996.**

7 Section 642 of the Illegal Immigration Reform and
8 Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is
9 amended to read as follows:

10 **“SEC. 642. COMMUNICATION AND INFORMATION SHARING**
11 **REGARDING CITIZENSHIP OR IMMIGRATION**
12 **STATUS.**

13 “(a) DEFINITIONS.—In this section:

14 “(1) The term ‘information’ means information
15 that is lawfully obtained and maintained by a State
16 or political subdivision for law enforcement, correc-
17 tional, or custodial purposes, including—

18 “(A) immigration or citizenship status;

19 “(B) custody status;

20 “(C) scheduled release date and time;

21 “(D) facility or detention location; and

22 “(E) transfer or discharge information.

23 “(2) The term ‘materially restrict’ means to
24 prohibit, delay, condition, or penalize the sharing of
25 information in a manner that interferes with its
26 timely transmission.

1 “(b) PROHIBITION ON RESTRICTIVE POLICIES.—A
2 State or political subdivision may not enact or enforce any
3 law, regulation, policy, or practice that—

4 “(1) prohibits or materially restricts any gov-
5 ernment entity or official from sharing information
6 described in subsection (a), sending such informa-
7 tion to, or requesting or receiving such information
8 from the Department of Homeland Security, or ex-
9 changing such information with any other Federal,
10 State, or local government entity;

11 “(2) subjects any government entity or official
12 to discipline, retaliation, or adverse employment ac-
13 tion for the lawful sharing of such information; or

14 “(3) requires advance approval, supervisory au-
15 thorization, or procedural delay that materially re-
16 stricts such information sharing.

17 “(c) RELEASE NOTIFICATION.—A State or political
18 subdivision shall, upon request by the Department of
19 Homeland Security regarding a specific individual, provide
20 notice of the release of such individual from criminal cus-
21 tody as follows:

22 “(1) SCHEDULED RELEASE.—In the case of a
23 release scheduled at least 48 hours in advance (in-
24 cluding completion of a sentence), notice shall be

1 provided no later than 48 hours prior to such re-
2 lease.

3 “(2) UNSCHEDULED RELEASE.—In the case of
4 a release ordered by a court or magistrate that was
5 not scheduled 48 hours in advance, the State or po-
6 litical subdivision shall notify the Department of
7 Homeland Security immediately upon the issuance
8 of such order and shall maintain custody of the indi-
9 vidual for a period of up to 48 hours to permit the
10 assumption of custody by the Department of Home-
11 land Security.

12 “(d) OBLIGATION TO RESPOND TO INQUIRIES.—The
13 Department of Homeland Security shall respond to an in-
14 quiry by a Federal, State, or local government agency,
15 seeking to verify or ascertain the citizenship or immigra-
16 tion status of any individual within the jurisdiction of the
17 agency for any purpose authorized by law, by providing
18 the requested verification or status information.

19 “(e) OFFICER IMMUNITY.—Notwithstanding any
20 other provision of law, a law enforcement officer of a State
21 or political subdivision who is acting within the scope of
22 the officer’s official duties shall be immune, to the same
23 extent as a Federal law enforcement officer, from personal
24 liability arising out of the performance of any duty de-
25 scribed in this section, including the authorities to main-

1 tain information, notify the Department of Homeland Se-
2 curity, investigate, identify, detain, or transfer to Federal
3 custody an alien for the purposes of enforcing the immi-
4 gration laws of the United States (as defined in section
5 101(a)(17) of the Immigration and Nationality Act (8
6 U.S.C. 1101(a)(17))).”.

7 **SEC. 3. ENFORCEMENT.**

8 (a) **CIVIL ENFORCEMENT.**—The Attorney General
9 may bring a civil action in an appropriate United States
10 district court for declaratory or injunctive relief to enforce
11 compliance with section 642 of the Illegal Immigration Re-
12 form and Immigrant Responsibility Act of 1996 (8 U.S.C.
13 1373).

14 (b) **GRANT ELIGIBILITY.**—A State or political sub-
15 division that is determined by a court of competent juris-
16 diction to be in knowing violation of such section 642 may
17 be deemed ineligible for grants administered by the De-
18 partment of Justice for law enforcement purposes, as
19 specified by the Attorney General.

20 **SEC. 4. SEVERABILITY.**

21 If any provision of this Act, or the application thereof
22 to any person or circumstance, is held invalid, the remain-
23 der of this Act shall not be affected.

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