

**GOVERNOR'S PROGRAM BILL**

**2026**

**MEMORANDUM**

An act to amend the executive law, in relation to enacting the "Local Cops, Local Crimes Act"; and providing for the repeal of such provisions upon expiration thereof

**Purpose:**

This bill would add a new Section 172 to Article 7 of the Executive Law prohibiting the State and local governments, including any state or local law enforcement agency or correctional facility, from entering into, modifying, renewing, remaining in, or extending any agreement pursuant to Section 287(g) of the federal Immigration and Nationality Act codified at 8 U.S.C. § 1357(g) and/or any contract, intergovernmental service agreement, or any other agreement to house or detain individuals for federal civil immigration violations.

**Summary of Provisions:**

Section 1 of the bill would name the legislation the "Local Cops, Local Crimes Act."

Section 2 of the bill would amend Article 7 of the Executive Law by adding a new Section 172 that prohibits the New York State Police, the New York State Department of Corrections and Community Supervision and any local government, law enforcement agency, correctional facility, or local correctional facility from entering into, modifying, renewing, remaining in, or extending any agreement pursuant to Section 287(g) of the federal Immigration and Nationality Act codified at 8 U.S.C. § 1357(g), and/or any contract, intergovernmental service agreement, or any other agreement to house or detain individuals for federal civil immigration violations. This section would also grant the Attorney General the authority to enforce this bill by applying for an order to the Supreme Court of New York to obtain appropriate relief.

Section 3 of the bill would provide that any existing agreement described in the chapter is not consistent with State law and is void and unenforceable.

Section 4 of the bill would add a severability clause relating to any clause, sentence, paragraph, subdivision, section, or part of this bill.

Section 5 of the bill would add the effective date and expiration date.

**Existing Law:**

None.

**Justification:**

It is the policy of the State of New York to promote public safety for all New Yorkers, including immigrants, who are vital and respected residents of our State. The current federal administration has enforced federal immigration laws with unprecedented aggression and heavy-handed tactics without concern for individual rights, community safety, and the rule of law. Such efforts have raised clear and serious legal and constitutional concerns, which the federal administration has summarily dismissed and made no effort to address.

Section 287(g) of the Immigration and Nationality Act (INA) allows state and local law enforcement agencies to enter into agreements with the United States Department of Homeland Security, under which state and local law enforcement officers may perform certain functions of federal immigration officials only to the extent allowed by state and local law. 42 U.S.C. § 1357(g)(1). Federal law also provides that state and local governments may, but are not required to, enter into written agreements with DHS. 8 U.S.C. §§ 1103(a), 1357(g). A number of local law enforcement agencies have entered into agreements with DHS pursuant to section 287(g) of the INA.

Current federal immigration efforts have made communities less safe, leading to the loss of innocent lives, including those of U.S. citizens. The use of local law enforcement officers and assets for the enforcement of federal civil immigration violations in furtherance of the federal administration's immigration agenda draws critical public safety resources away from essential law enforcement functions that keep New York's residents and communities safe. Accordingly, this bill would prohibit, until July 1, 2029, any agreement with the State government, any local government, law enforcement agency, correctional facility, or local correctional facility made pursuant to 287(g) of the INA, as well as any contract, intergovernmental service agreement, or any other agreement to house or detain individuals for federal civil immigration violations. The bill would also provide that any existing agreement is not consistent with State law and void and unenforceable.

The bill would empower the Attorney General to pursue an action for any violation of this section.

**Legislative History:**

None.

**Budget Implications:**

None.

**Effective Date:**

This bill will take immediate effect except for section 3 which will take effect thirty days after this bill shall have become a law.