

Senate Engrossed

arrestees; unlawfully present; reporting

State of Arizona  
Senate  
Fifty-seventh Legislature  
Second Regular Session  
2026

# SENATE BILL 1055

AN ACT

AMENDING SECTION 11-1051, ARIZONA REVISED STATUTES; RELATING TO  
IMMIGRATION ENFORCEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-1051, Arizona Revised Statutes, is amended to  
3 read:

4 11-1051. Cooperation and assistance in enforcement of  
5 immigration laws; indemnification

6 A. ~~No~~ AN official or agency of this state or a county, city, town  
7 or other political subdivision of this state may NOT limit or restrict the  
8 enforcement of federal immigration laws to less than the full extent  
9 ~~permitted~~ ALLOWED by federal law.

10 B. For any lawful stop, detention or arrest made by a law  
11 enforcement official or a law enforcement agency of this state or ~~a law~~  
12 ~~enforcement official or a law enforcement agency~~ of a county, city, town  
13 or other political subdivision of this state in the enforcement of any  
14 other law or ordinance of a county, city or town or OF this state where  
15 reasonable suspicion exists that the person is an alien and is unlawfully  
16 present in the United States, a reasonable attempt shall be made, when  
17 practicable, to determine the immigration status of the person, except if  
18 the determination may hinder or obstruct an investigation. Any person who  
19 is arrested shall have the person's immigration status determined before  
20 the person is released. The person's immigration status shall be verified  
21 with the federal government pursuant to 8 United States Code section  
22 1373(c). A law enforcement official or agency of this state or a county,  
23 city, town or other political subdivision of this state may not consider  
24 race, color or national origin in implementing the requirements of this  
25 subsection except to the extent ~~permitted~~ ALLOWED by the United States or  
26 Arizona Constitution. A person is presumed to not be an alien who is  
27 unlawfully present in the United States if the person provides to the law  
28 enforcement officer or agency any of the following:

- 29 1. A valid Arizona driver license.
- 30 2. A valid Arizona nonoperating identification license.
- 31 3. A valid tribal enrollment card or other form of tribal  
32 identification.

33 4. If the entity requires proof of legal presence in the United  
34 States before issuance, any valid United States federal, state or local  
35 government issued identification.

36 C. If an alien who is unlawfully present in the United States is  
37 convicted of a violation of state or local law, on discharge from  
38 imprisonment or on the assessment of any monetary obligation that is  
39 imposed, the United States immigration and customs enforcement or the  
40 United States customs and border protection shall be immediately notified.

41 D. IF AN ALIEN WHO IS UNLAWFULLY PRESENT IN THE UNITED STATES IS  
42 ARRESTED BY A LAW ENFORCEMENT OFFICIAL OR LAW ENFORCEMENT AGENCY OF THIS  
43 STATE OR OF A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS  
44 STATE FOR A VIOLATION OF STATE OR LOCAL LAW, THE UNITED STATES IMMIGRATION

1 AND CUSTOMS ENFORCEMENT OR THE UNITED STATES CUSTOMS AND BORDER PROTECTION  
2 SHALL BE IMMEDIATELY NOTIFIED.

3 ~~D.~~ E. Notwithstanding any other law, a law enforcement agency may  
4 securely transport an alien who the agency has received verification is  
5 unlawfully present in the United States and who is in the agency's custody  
6 to a federal facility in this state or to any other point of transfer into  
7 federal custody that is outside the jurisdiction of the law enforcement  
8 agency. A law enforcement agency shall obtain judicial authorization  
9 before securely transporting an alien who is unlawfully present in the  
10 United States to a point of transfer that is outside of this state.

11 ~~E.~~ F. In ~~the implementation~~ IMPLEMENTING of this section, an  
12 alien's immigration status may be determined by:

13 1. A law enforcement officer who is authorized by the federal  
14 government to verify or ascertain an alien's immigration status.

15 2. The United States immigration and customs enforcement or the  
16 United States customs and border protection pursuant to 8 United States  
17 Code section 1373(c).

18 ~~F.~~ G. Except as provided in federal law, officials or agencies of  
19 this state and counties, cities, towns and other political subdivisions of  
20 this state may not be prohibited or in any way be restricted from sending,  
21 receiving or maintaining information relating to the immigration status,  
22 lawful or unlawful, of any individual or exchanging that information with  
23 any other federal, state or local governmental entity for the following  
24 official purposes:

25 1. Determining eligibility for any public benefit, service or  
26 license provided by any federal, state, local or other political  
27 subdivision of this state.

28 2. Verifying any claim of residence or domicile if determination of  
29 residence or domicile is required under the laws of this state or a  
30 judicial order issued pursuant to a civil or criminal proceeding in this  
31 state.

32 3. If the person is an alien, determining whether the person is in  
33 compliance with the federal registration laws prescribed by title II,  
34 chapter 7 of the ~~federal~~ immigration and nationality act.

35 4. Pursuant to 8 United States Code section 1373 and 8 United  
36 States Code section 1644.

37 ~~G.~~ H. This section does not implement, authorize or establish and  
38 shall not be construed to implement, authorize or establish the REAL ID  
39 act of 2005 (P.L. 109-13, division B; 119 Stat. 302), including the use of  
40 a radio frequency identification chip.

41 ~~H.~~ I. A person who is a legal resident of this state may bring an  
42 action in superior court to challenge any official or agency of this state  
43 or a county, city, town or other political subdivision of this state that  
44 adopts or implements a policy that limits or restricts the enforcement of  
45 federal immigration laws, including 8 United States Code sections 1373 and

1 1644, to less than the full extent ~~permitted~~ ALLOWED by federal law. If  
2 there is a judicial finding that an entity has violated this section, the  
3 court shall order that the entity pay a civil penalty of ~~not less than~~  
4 ~~five hundred dollars~~ AT LEAST \$500 and not more than ~~five thousand dollars~~  
5 \$5,000 for each day that the policy has remained in effect after the  
6 filing of an action pursuant to this subsection.

7 ~~I.~~ J. A court shall collect the civil penalty prescribed in  
8 subsection ~~H~~ I of this section and remit the civil penalty to the state  
9 treasurer for deposit in the gang and immigration intelligence team  
10 enforcement mission fund established by section 41-1724.

11 ~~J.~~ K. The court may award court costs and reasonable attorney fees  
12 to any person or any official or agency of this state or a county, city,  
13 town or other political subdivision of this state that prevails by an  
14 adjudication on the merits in a proceeding brought pursuant to this  
15 section.

16 ~~K.~~ L. Except in relation to matters in which the officer is  
17 adjudged to have acted in bad faith, a law enforcement officer is  
18 indemnified by the law enforcement officer's agency against reasonable  
19 costs and expenses, including attorney fees, incurred by the officer in  
20 connection with any action, suit or proceeding brought pursuant to this  
21 section in which the officer may be a defendant by reason of the officer  
22 being or having been a member of the law enforcement agency.

23 ~~L.~~ M. This section shall be implemented in a manner consistent  
24 with federal laws regulating immigration, protecting the civil rights of  
25 all persons and respecting the privileges and immunities of United States  
26 citizens.