

**2025 HOUSE POLITICAL SUBDIVISIONS**

**HB 1303**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Political Subdivisions Committee Room JW327B, State Capitol

HB 1303  
2/6/2025

Relating to the prohibition on sanctuary cities; and to provide a penalty.
--

9:58 a.m. Chairman Longmuir opened the hearing.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Davis, Hatlestad, Heilman, Klemin, Motschenbacher, Ostlie, Toman, Warrey

Members Absent: Representatives Bolinske, Hager

### **Discussion Topics:**

- Illegal Immigrants within North Dakota

9:59 a.m. Representative Jim Kasper, North Dakota Representative for District 46, introduced the bill and provided testimony #35883

### **Additional written testimony:**

Doug Sharbono, Fargo Citizen, submitted testimony in favor #35215

10:06 a.m. Chairman Longmuir closed the hearing.

*Wyatt Armstrong, Committee Clerk*

**Do Pass Testimony  
of Doug Sharbono, Citizen of North Dakota  
on HB1303  
in the Sixty-ninth Legislative Assembly of North Dakota**

Dear Chairman Longmuir and members of the House Political Subdivisions Committee,

I am writing as a citizen and believe HB1303 is excellent legislation. This legislation prohibits sanctuary cities used to break the law in providing illegal aliens refuge. I ask for a Do Pass recommendation on this bill.

In the past four years, due to the federal government not enforcing the immigration laws, we have experienced much lawlessness. I recall our own Cass County Sheriff Jesse Jahner having very credible leads and probable cause to investigate reports of illegal aliens in [Absaraka, ND](#). From reports, he received very little assistance from federal agencies with the problem. It could perhaps be classified as resistance due to that particular federal administration's policies.

Although HB1303 does not directly address the problem experienced with the federal agencies, it does provide our law enforcement another tool in the chest to ensure our laws are enforced. The worst case would be no help from the federal agencies and a local political subdivision declaring an area or city a sanctuary city. That needs to be prevented. Law enforcement's hands would be completely tied.

Please give HB1303 a Do Pass Recommendation.

Thank you,

Doug Sharbono  
1708 9<sup>th</sup> St S  
Fargo, ND 58103

LII > U.S. Code > Title 8 > CHAPTER 12 > SUBCHAPTER II > Part IX > § 1373

Quick search by citation:

**Title**

**Section**

Go!

## 8 U.S. Code § 1373 - Communication between government agencies and the Immigration and Naturalization Service

U.S. Code    Notes

---

**(a) IN GENERAL**

Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

**(b) ADDITIONAL AUTHORITY OF GOVERNMENT ENTITIES**

Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to

information regarding the immigration status, lawful or unlawful, of any individual:

(1) Sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.

(2) Maintaining such information.

(3) Exchanging such information with any other Federal, State, or local government entity.

**(c) OBLIGATION TO RESPOND TO INQUIRIES**

The Immigration and Naturalization Service shall respond to an inquiry by a Federal, State, or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.

(Pub. L. 104-208, div. C, title VI, § 642, Sept. 30, 1996, 110 Stat. 3009-707.)



## U.S. Code Toolbox

Law about... Articles from Wex

Table of Popular Names

Parallel Table of Authorities

How current is this?

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Political Subdivisions Committee Room JW327B, State Capitol

HB 1303  
2/20/2025

Relating to the prohibition on sanctuary cities; and to provide a penalty.
--

9:18 a.m. Chairman Longmuir opened the hearing.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Davis, Hager, Hatlestad, Heilman, Motschenbacher, Ostlie, Toman, Warrey

Members Absent: Representatives Bolinske, Klemin

### Discussion Topics:

- Illegal immigrants in North Dakota
- Penalties for uncooperative political subdivisions
- The bill's impact across North Dakota
- Ways of informing the North Dakota public

9:20 a.m. Representative Jim Kasper, North Dakota Representative for District 46, proposed Amendment LC:25.0694.01006, testimony #38184.

9:35 a.m. Representative Heilman moved to Amend LC:25.0694.01006, testimony #38184.

9:35 a.m. Representative Motschenbacher seconded the motion.

9:36 a.m. Stephanie Engebretson, North Dakota League of Cities, testified in neutral.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	Y
Representative Macy Bolinske	A
Representative Jayme Davis	N
Representative LaurieBeth Hager	N
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	Y
Representative Lawrence R. Klemin	A
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nathan Toman	Y
Representative Jonathan Warrey	Y

9:39 a.m. Motion passed 9-2-2

9:39 a.m. Representative Heilman moved a Do Pass as Amended.

9:39 a.m. Representative Fegley seconded the motion.

9:41 a.m. Representative Heilman withdrew his motion.

9:42 a.m. Representative Heilman moved a Do Pass as Amended.

9:42 a.m. Representative Jim Kasper, North Dakota Representative for District 46, answered committee questions

9:44 a.m. Representative Heilman's motion failed due to lack of a second.

9:44 a.m. Representative Toman moved to Amend and add a section after page 4 section 5 creating a fund where withheld funds are deposited until uncompliant political subdivisions are deemed compliant by the North Dakota Attorney General.

9:46 a.m. Representative Toman's Amendment was put on hold and a prepared amendment was requested by Chairman Longmuir.

9:57 a.m. Chairman Longmuir closed the hearing.

*Wyatt Armstrong, Committee Clerk*

25.0694.01006  
Title.

Prepared by the Legislative Council  
staff for Representative Kasper  
February 14, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### HOUSE BILL NO. 1303

Introduced by

Representatives Kasper, Headland, Hendrix, Koppelman, Louser, Motschenbacher, S. Olson

Senator Castaneda

A BILL ~~for an Act to create and enact a new chapter to title 54 of the North Dakota Century Code, relating to the enforcement of federal immigration law and the prohibition on sanctuary cities; to repeal section 44-08-25 of the North Dakota Century Code, relating to the prohibition on sanctuary cities; and to provide a penalty~~ for an Act to amend and reenact section 44-08-25 of the North Dakota Century Code, relating to the prohibition of sanctuary city policies; and to provide a penalty.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

~~**SECTION 1.** A new chapter to title 54 of the North Dakota Century Code is created and enacted as follows:~~

#### ~~**Definitions.**~~

~~As used in this chapter:~~

~~1. "Alien" means an individual who is not a United States citizen.~~

~~2. "Illegal alien" means an alien who is illegally present in the United States.~~

~~3. "Sanctuary policy" means an order, ordinance, rule, law, law enforcement policy, or guideline, whether formally or informally adopted, that:~~

~~a. Limits or prohibits an official or employee of a state agency, department, or office or a political subdivision from communicating or cooperating with federal agencies or officials to verify or report the immigration status of an illegal alien;~~

~~b. Grants illegal aliens the right of lawful presence or status in violation of federal law.~~



- 1 ~~c. Violates a provision of chapter 1373 of United States Code title 8 [8 U.S.C. 1373].~~
- 2 ~~d. Restricts or imposes a condition upon the cooperation or compliance of a state-~~
- 3 ~~agency, department, or office or political subdivision with United States~~
- 4 ~~immigration and customs enforcement to maintain custody of an illegal alien or to~~
- 5 ~~transfer an illegal alien to the custody of United States immigration and customs~~
- 6 ~~enforcement.~~
- 7 ~~e Prevents a law enforcement officer of a political subdivision from asking an~~
- 8 ~~individual in custody the individual's citizenship or immigration status.~~
- 9 ~~**Sanctuary policy prohibition -- State agencies, departments, and offices.**~~
- 10 ~~1. A state agency, department, or office may not enact or adopt a sanctuary policy.~~
- 11 ~~2. The state treasurer may not disburse public moneys to support the implementation or~~
- 12 ~~enforcement of a sanctuary policy of a state agency, department, or office.~~
- 13 ~~**Attorney general -- Duties -- Notice -- Sanctions.**~~
- 14 ~~1. The attorney general, at the discretion of the attorney general, or upon receiving a~~
- 15 ~~complaint from a resident of the state regarding a violation of this chapter, shall issue~~
- 16 ~~an opinion and notice to:~~
- 17 ~~a. The political subdivision, the state treasurer, and the public finance authority, if a~~
- 18 ~~political subdivision is in violation of this chapter.~~
- 19 ~~b. The head of the state agency, department, or office, budget section of the~~
- 20 ~~legislative assembly, the governor, the president of the senate, the speaker of the~~
- 21 ~~house of representatives, and each member of the standing appropriations~~
- 22 ~~committees, or if the legislative assembly is not in session, the most recent~~
- 23 ~~standing appropriations committees, if a state department, agency, or office is in~~
- 24 ~~violation of this chapter.~~
- 25 ~~2. If the attorney general issues an opinion under this section, the opinion must include~~
- 26 ~~the violations of this chapter and findings of fact describing with specificity the~~
- 27 ~~sanctuary policy.~~
- 28 ~~3. If a political subdivision provides the attorney general with sufficient evidence to~~
- 29 ~~demonstrate a sanctuary policy is no longer in effect, the attorney general shall issue a~~
- 30 ~~second opinion declaring the political subdivision has reformed its policies and no~~

~~longer has a sanctuary policy, and provide the political subdivision, the state treasurer,  
and the public finance authority with the opinion.~~

~~4. If the conditions under subdivision b of subsection 1 occur, the budget section of the  
legislative assembly shall hold a hearing as soon as practicable to determine whether  
appropriations to the political subdivision, state agency, department, or office should  
be restricted or conditioned on compliance with this section.~~

~~**Sanctuary policy prohibition - Political subdivisions - Prohibitions on approval of  
bonds.**~~

~~1. A political subdivision may not enact or adopt a sanctuary policy.~~

~~2. If a political subdivision has enacted a sanctuary policy in violation of this chapter, the  
political subdivision is subject to subsection 3 of this section.~~

~~3. Notwithstanding any other provision of law, bonds, notes, or other evidence of  
indebtedness of a political subdivision that the public finance authority is required to  
approve may not be approved by the public finance authority if notice of a violation of  
this chapter has been provided by the attorney general to the political subdivision, the  
public finance authority, and the state treasurer, and the notice of violation remains on  
file with the public finance authority.~~

~~4. The notice of violation must remain on file with the public finance authority unless the  
attorney general issues a second opinion declaring the political subdivision has  
reformed its policies and no longer has a sanctuary policy.~~

~~**SECTION 2. REPEAL.** Section 44-08-25 of the North Dakota Century Code is repealed.~~

**SECTION 1. AMENDMENT.** Section 44-08-25 of the North Dakota Century Code is  
amended and reenacted as follows:

**44-08-25. Prohibition - Sanctuary - Immigration - Void.**

1. Notwithstanding any other provision of law, the state, a political subdivision, or  
institution of higher education under the supervision of the state board of higher  
education or any agent or employee of the state, a political subdivision, or the  
institution of higher education may not adopt or implement, whether formally or  
informally, a sanctuary policy, including a policy, order, or ordinance that:

a. Limits or prohibits an individual from communicating or cooperating with federal  
agencies or officials to verify or report the immigration status of an individual; ~~or~~

b. Grants a noncitizen unlawfully present in the United States the right to lawful presence or status within the state, a political subdivision, or the institution of higher education;

c. Violates a provision of chapter 1373 of United States Code title 8 [8 U.S.C. 1373];

d. Restricts or imposes a condition upon the cooperation or compliance of a state agency, department, or office or political subdivision with United States immigration and customs enforcement to maintain custody of or to transfer an illegal alien to the custody of United States immigration and customs enforcement; or

e. Prevents a law enforcement officer of a political subdivision from asking an individual in custody the individual's citizenship or immigration status.

2. The attorney general, upon receiving a complaint from an individual regarding a violation of this section, may investigate as necessary. If the attorney general finds a political subdivision is in violation of this section, the attorney general shall issue an opinion to the political subdivision, including findings of fact describing with specificity the sanctuary policy.

3. Within thirty days of receiving an opinion under subsection 2, a political subdivision may appeal the opinion to the district court or provide the attorney general with evidence to demonstrate a sanctuary policy is no longer in effect.

4. If a political subdivision provides the attorney general with sufficient evidence to demonstrate a sanctuary policy is no longer in effect, the attorney general shall:

a. Issue a second opinion to the political subdivision declaring the political subdivision no longer has a sanctuary policy; and

b. If applicable, direct the state treasurer to cease withholding the political subdivision's funding under subsection 5.

5. Thirty days after the political subdivision receives an opinion under subsection 2, the attorney general shall direct the state treasurer to withhold the political subdivision's allocation each quarter from the state aid distribution fund under section 57-39.2-26.1 and deposit the withheld funds into the general fund.

6. Any policy, order, or ordinance adopted in violation of this section is void.

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Political Subdivisions Committee Room JW327B, State Capitol

HB 1303  
2/20/2025

Relating to the prohibition on sanctuary cities; and to provide a penalty.
--

3:14 p.m. Chairman Longmuir opened the hearing.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Representatives Hager, Hatlestad, Motschenbacher, Toman, Warrey

Members Absent: Vice-Chairman Jonas, Representatives Bolinske, Davis, Heilman, Klemin, Ostlie

### Discussion Topics:

- North Dakota constitutional tax
- Committee action

3:17 p.m. Representative Toman moved to Amend and insert "within" before "30 days" on page 4 line 26, strike "each quarter" on line 28, and strike "general fund" and insert "Sanctuary Compliance Fund" on line 29.

3:17 p.m. Representative Motschenbacher seconded the motion.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	A
Representative Macy Bolinske	A
Representative Jayme Davis	A
Representative LaurieBeth Hager	N
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	A
Representative Lawrence R. Klemin	A
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	A
Representative Nathan Toman	Y
Representative Jonathan Warrey	Y

3:21 p.m. Motion passed 6-1-6

3:21 p.m. Representative Motschenbacher moved a Do Pass as Amended.

3:21 p.m. Representative Toman seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	A
Representative Macy Bolinske	A
Representative Jayme Davis	A
Representative LaurieBeth Hager	N
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	A
Representative Lawrence R. Klemin	A
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	A
Representative Nathan Toman	Y
Representative Jonathan Warrey	Y

3:22 p.m. Motion passed 6-1-6

3:22 p.m. Representative Toman will carry the bill.

3:23 p.m. Chairman Longmuir closed the hearing.

*Wyatt Armstrong, Committee Clerk*

February 20, 2025

RS 2/20/25  
1 of 5

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### HOUSE BILL NO. 1303

Introduced by

Representatives Kasper, Headland, Hendrix, Koppelman, Louser, Motschenbacher, S. Olson  
Senator Castaneda

1 A BILL ~~for an Act to create and enact a new chapter to title 54 of the North Dakota Century~~  
2 ~~Code, relating to the enforcement of federal immigration law and the prohibition on sanctuary~~  
3 ~~cities; to repeal section 44-08-25 of the North Dakota Century Code, relating to the prohibition~~  
4 ~~on sanctuary cities; and to provide a penalty; for an Act to amend and reenact section 44-08-25~~  
5 ~~of the North Dakota Century Code, relating to the prohibition of sanctuary city policies and to~~  
6 ~~create the sanctuary compliance fund; to provide a penalty; and to provide a continuing~~  
7 ~~appropriation.~~

### 8 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

9 ~~SECTION 1. A new chapter to title 54 of the North Dakota Century Code is created and~~  
10 ~~enacted as follows:~~

#### 11 ~~Definitions.~~

#### 12 ~~As used in this chapter:~~

13 ~~1. "Alien" means an individual who is not a United States citizen.~~

14 ~~2. "Illegal alien" means an alien who is illegally present in the United States.~~

15 ~~3. "Sanctuary policy" means an order, ordinance, rule, law, law enforcement policy, or~~  
16 ~~guideline, whether formally or informally adopted, that:~~

17 ~~a. Limits or prohibits an official or employee of a state agency, department, or office~~  
18 ~~or a political subdivision from communicating or cooperating with federal~~  
19 ~~agencies or officials to verify or report the immigration status of an illegal alien.~~



- 1 ~~b. Grants illegal aliens the right of lawful presence or status in violation of federal~~
- 2 ~~law.~~
- 3 ~~c. Violates a provision of chapter 1373 of United States Code title 8 [8 U.S.C. 1373].~~
- 4 ~~d. Restricts or imposes a condition upon the cooperation or compliance of a state~~
- 5 ~~agency, department, or office or political subdivision with United States~~
- 6 ~~immigration and customs enforcement to maintain custody of an illegal alien or to~~
- 7 ~~transfer an illegal alien to the custody of United States immigration and customs~~
- 8 ~~enforcement.~~
- 9 ~~e. Prevents a law enforcement officer of a political subdivision from asking an~~
- 10 ~~individual in custody the individual's citizenship or immigration status.~~
- 11 ~~**Sanctuary policy prohibition – State agencies, departments, and offices.**~~
- 12 ~~1. A state agency, department, or office may not enact or adopt a sanctuary policy.~~
- 13 ~~2. The state treasurer may not disburse public moneys to support the implementation or~~
- 14 ~~enforcement of a sanctuary policy of a state agency, department, or office.~~
- 15 ~~**Attorney general – Duties – Notice – Sanctions.**~~
- 16 ~~1. The attorney general, at the discretion of the attorney general, or upon receiving a~~
- 17 ~~complaint from a resident of the state regarding a violation of this chapter, shall issue~~
- 18 ~~an opinion and notice to:~~
- 19 ~~a. The political subdivision, the state treasurer, and the public finance authority, if a~~
- 20 ~~political subdivision is in violation of this chapter.~~
- 21 ~~b. The head of the state agency, department, or office, budget section of the~~
- 22 ~~legislative assembly, the governor, the president of the senate, the speaker of the~~
- 23 ~~house of representatives, and each member of the standing appropriations~~
- 24 ~~committees, or if the legislative assembly is not in session, the most recent~~
- 25 ~~standing appropriations committees, if a state department, agency, or office is in~~
- 26 ~~violation of this chapter.~~
- 27 ~~2. If the attorney general issues an opinion under this section, the opinion must include~~
- 28 ~~the violations of this chapter and findings of fact describing with specificity the~~
- 29 ~~sanctuary policy.~~
- 30 ~~3. If a political subdivision provides the attorney general with sufficient evidence to~~
- 31 ~~demonstrate a sanctuary policy is no longer in effect, the attorney general shall issue a~~



1 ~~second opinion declaring the political subdivision has reformed its policies and no~~  
2 ~~longer has a sanctuary policy, and provide the political subdivision, the state treasurer,~~  
3 ~~and the public finance authority with the opinion.~~

4 ~~4. If the conditions under subdivision b of subsection 1 occur, the budget section of the~~  
5 ~~legislative assembly shall hold a hearing as soon as practicable to determine whether~~  
6 ~~appropriations to the political subdivision, state agency, department, or office should~~  
7 ~~be restricted or conditioned on compliance with this section.~~

8 ~~**Sanctuary policy prohibition – Political subdivisions – Prohibitions on approval of**~~  
9 ~~**bonds.**~~

10 ~~1. A political subdivision may not enact or adopt a sanctuary policy.~~

11 ~~2. If a political subdivision has enacted a sanctuary policy in violation of this chapter, the~~  
12 ~~political subdivision is subject to subsection 3 of this section.~~

13 ~~3. Notwithstanding any other provision of law, bonds, notes, or other evidence of~~  
14 ~~indebtedness of a political subdivision that the public finance authority is required to~~  
15 ~~approve may not be approved by the public finance authority if notice of a violation of~~  
16 ~~this chapter has been provided by the attorney general to the political subdivision, the~~  
17 ~~public finance authority, and the state treasurer, and the notice of violation remains on~~  
18 ~~file with the public finance authority.~~

19 ~~4. The notice of violation must remain on file with the public finance authority unless the~~  
20 ~~attorney general issues a second opinion declaring the political subdivision has~~  
21 ~~reformed its policies and no longer has a sanctuary policy.~~

22 ~~**SECTION 2. REPEAL.** Section 44-08-25 of the North Dakota Century Code is repealed.~~

23 **SECTION 1. AMENDMENT.** Section 44-08-25 of the North Dakota Century Code is  
24 amended and reenacted as follows:

25 **44-08-25. Prohibition - Sanctuary - Immigration - Void - Fund - Continuing**  
26 **appropriation.**

27 1. Notwithstanding any other provision of law, the state, a political subdivision, or  
28 institution of higher education under the supervision of the state board of higher  
29 education or any agent or employee of the state, a political subdivision, or the  
30 institution of higher education may not adopt or implement, whether formally or  
31 informally, a sanctuary policy, including a policy, order, or ordinance that:



- 1           a. Limits or prohibits an individual from communicating or cooperating with federal
- 2           agencies or officials to verify or report the immigration status of an individual; ~~or~~
- 3           b. Grants a noncitizen unlawfully present in the United States the right to lawful
- 4           presence or status within the state, a political subdivision, or the institution of
- 5           higher education;
- 6           c. Violates a provision of chapter 1373 of United States Code title 8 [8 U.S.C. 1373];
- 7           d. Restricts or imposes a condition upon the cooperation or compliance of a state
- 8           agency, department, or office or political subdivision with United States
- 9           immigration and customs enforcement to maintain custody of or to transfer an
- 10           illegal alien to the custody of United States immigration and customs
- 11           enforcement; or
- 12           e. Prevents a law enforcement officer of a political subdivision from asking an
- 13           individual in custody the individual's citizenship or immigration status.
- 14        2. The attorney general, upon receiving a complaint from an individual regarding a
- 15           violation of this section, may investigate as necessary. If the attorney general finds a
- 16           political subdivision is in violation of this section, the attorney general shall issue an
- 17           opinion to the political subdivision, including findings of fact describing with specificity
- 18           the sanctuary policy.
- 19        3. Within thirty days of receiving an opinion under subsection 2, a political subdivision
- 20           may appeal the opinion to the district court or provide the attorney general with
- 21           evidence to demonstrate a sanctuary policy is no longer in effect.
- 22        4. If a political subdivision provides the attorney general with sufficient evidence to
- 23           demonstrate a sanctuary policy is no longer in effect, the attorney general shall:
- 24           a. Issue a second opinion to the political subdivision declaring the political
- 25           subdivision no longer has a sanctuary policy; and
- 26           b. If applicable, direct the state treasurer to cease withholding the political
- 27           subdivision's funding under subsection 5.
- 28        5. Within thirty days after the political subdivision receives an opinion under subsection 2,
- 29           the attorney general shall direct the state treasurer to withhold the political
- 30           subdivision's allocation from the state aid distribution fund under section 57-39.2-26.1
- 31           and deposit the withheld funds into the sanctuary compliance fund. Funds will be



- 1        distributed to the political subdivision upon compliance with this section as determined
- 2        by the attorney general.
- 3        6. There is created a special fund in the state treasury called the sanctuary compliance
- 4        fund. The fund consists of all moneys deposited under this section. Moneys in the fund
- 5        are appropriated on a continuing basis to the state treasurer and may be distributed
- 6        back to the political subdivision upon compliance with this section, or to political
- 7        subdivisions that are in compliance with this section, using existing formulas or
- 8        distribution methods.
- 9        7. Any policy, order, or ordinance adopted in violation of this section is void.

**REPORT OF STANDING COMMITTEE  
HB 1303**

**Political Subdivisions Committee (Rep. Longmuir, Chairman)** recommends **AMENDMENTS** ([25.0694.01007](#)) and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 6 ABSENT OR EXCUSED AND NOT VOTING). HB 1303 was placed on the Sixth order on the calendar.

**2025 SENATE STATE AND LOCAL GOVERNMENT**

**HB 1303**

# 2025 SENATE STANDING COMMITTEE MINUTES

## State and Local Government Committee Room JW216, State Capitol

HB 1303  
3/28/2025

Relating to the prohibition of sanctuary city policies and to create the sanctuary compliance fund; to provide a penalty; and to provide a continuing appropriation.

9:00 a.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

### **Discussion Topics:**

- Federal Law
- Complaints go to attorney general
- Department of Homeland Security

9:00 a.m. Representative Kasper, District #46, introduced the bill.

9:14 a.m. Anna Marie Stenson, Attorney, Fargo, testified in opposition and submitted testimony #44358.

### **Additional written testimony:**

Lanny Kenner, citizen, submitted testimony in favor #44357.

9:26 a.m. Chair Roers closed the hearing.

*Susan Helbling, Committee Clerk*

Lanny Kenner  
District 7

Chairman Roers and Committee members,  
I am requesting YES votes on HB 1303.

This is a bill that shouldn't even be needed since anyone harboring a criminal from the law can be charged along with that criminal.

Words have meanings and the words "Illegal Immigrant" means a person in this country illegally which makes them a criminal. This should be easy to see even for those of you living close to Minnesota.

Please vote YES on HB 1303 to be compliant with our laws.

Thank you, Lanny Kenner

## Testimony in Opposition to HB 1303

Chairwoman Roers and members of the State and Local Government committee

My name is Anna Marie Stenson. I am a licensed attorney in North Dakota. I am in opposition to the bill in front of you.

With this bill, I question what current activity in the state is the bill trying to prevent. Has there been research as to whether there are any "sanctuary" policies. If there are, why do those policies exist?

My practice focuses primarily on immigration law. Immigration enforcement is primarily under the jurisdiction of federal law. Immigration law and immigration enforcement can be complex. The U.S. Congress and federal courts, in recent history, have consistently held that the U.S. Constitution grants the federal government authority over immigration matters. I do not believe you need to be an expert in immigration law to appreciate the potential harmful effects of this bill for the state.

North Dakota is a vibrant state with a growing economy. But it has a work force shortage. North Dakota has done a great deal to recruit individuals to North Dakota, including through the establishment of the Office of Legal Immigration. The state is taking other positive actions to recruit workers to this state. This bill sends a message that counters that positive message. Is this the mixed message that the state wants to portray?

This bill would likely be a deterrent to individuals to move to the state. In a state with a severe workforce shortage, even turning away one authorized worker because of a concern for state penalties can have an economic impact for the state and the individual employer.

Oftentimes when I'm asked to speak about immigration enforcement and try to present information on what is considered sanctuary policies, I talk about what the state, counties, and municipalities need. Sanctuary policies often relate to local law enforcement assistance with federal immigration enforcement efforts. In order for local law enforcement to keep a community safe, they need community trust. It may be about not having the capacity to enforce immigration laws. It may be about protecting victims and witnesses when reporting crimes. We are all safer when victims come forward without the fear of immigration consequences. It is not helpful to have legal immigrant communities fearing the police or accessing state services for fear of being targeted.

This bill also does not protect an unauthorized employee who is working for an employer for being exploited because of the employee's status. That employee is not going to come forward to report, if they feel they are going to be turned over to immigration first. This bill also does nothing to protect the labor trafficking that is currently going on in the state. This bill does not protect domestic violence victims from their abusers.

Perpetrators of such illegal activity routinely manipulate and isolate victims to limit their access to information about their legal rights. They routinely control victims by warning them, that local law enforcement will not protect them. That they will be deported if they seek help from the police. It is this type of law that potentially protects perpetrators of crime.

Local officials are best positioned to determine the needs of their communities and their allocation of limited resources. I would have to believe that sometimes policies are developed to leverage limited resources, staff, funding and to prioritize certain law enforcement activities over others. Making sure limited resources are used where they are needed most promotes community safety.

If there is a requirement to have the state work with the federal government or face withholding of state money, there may be unintended consequences. It may place significant burdens on state and local agencies, diverting their resources away from high-priority targets, such as violent crime, drugs and other local policing needs. The Department of Homeland Security continues to enforce federal immigration laws. Pressure on state and local municipalities to try to enforce immigration laws at a local level potentially diverts critical state and local law enforcement resources from the most serious threats to public safety and undermines the vital trust between local jurisdictions and the communities they serve. All while failing to address the underlying problem, the need for comprehensive immigration reform at the federal level.

I do not believe the bill is well thought out on not only how it would be applied and enforced but perhaps some of the unintended consequences. Thank you for the opportunity to speak in opposition to HB 1291.

Anna Marie Stenson  
PO Box 135  
Fargo, ND 57107  
701-298-7720  
anna@ndimmlawpro.com



# 2025 SENATE STANDING COMMITTEE MINUTES

## State and Local Government Committee Room JW216, State Capitol

HB 1303  
4/4/2025

Relating to the prohibition of sanctuary city policies and to create the sanctuary compliance fund; to provide a penalty; and to provide a continuing appropriation.

9:48 a.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

### Discussion Topics:

- Time restrictions
- Process requirements
- Human trafficking

9:48 a.m. Chair Roers opened the hearing up for discussion.

9:58 a.m. Senator Lee moved Do Not Pass.

9:58 a.m. Senator Braunberger seconded the motion.

Senators	Vote
Senator Kristin Roers	N
Senator Jose L. Castaneda	N
Senator Jeff Barta	N
Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	N

Motion Failed 2-4-0

10:01 a.m. Senator Castaneda moved Do Pass.

10:01 a.m. Senator Walen seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	N
Senator Judy Lee	N
Senator Chuck Walen	Y

Motion Passed 4-2-0

Senator Castaneda will carry the bill.

10:03 a.m. Chair Roers closed the hearing.

*Susan Helbling, Committee Clerk*

**REPORT OF STANDING COMMITTEE  
ENGROSSED HB 1303 ([25.0694.02000](#))**

**State and Local Government Committee (Sen. Roers, Chairman)** recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). Engrossed HB 1303 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.