# STATE OF NEW YORK

7859

2025-2026 Regular Sessions

# IN ASSEMBLY

April 11, 2025

Introduced by M. of A. DE LOS SANTOS -- read once and referred to the Committee on Codes

AN ACT to amend the civil rights law, in relation to prohibiting civil arrest in hospitals, shelters, food banks and crisis centers

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Short title. This act shall be known and may be cited as the "ICE ban in hospitals and shelters act".

§ 2. The civil rights law is amended by adding a new section 29 to read as follows:

**§ 29. Civil arrest; protection in certain settings. 1. A person attending, employed at, or otherwise lawfully present at a hospital, shelter, food bank and crisis center, is privileged from civil arrest while at such premises.**

**2. No civil arrest shall be executed on hospital, shelter, food bank or crisis center premises unless supported by a judicial warrant authorizing such an arrest or detainment.**

**3. No other document shall be sufficient for the execution of any civil arrest including an administrative warrant or immigration detainer.**

**4. It shall be considered unlawful and constitute false imprisonment for any person to willfully violate this section by executing or assisting in an arrest prohibited under this section.**

**5. A person whose rights under this section are violated may bring a civil action for equitable and declaratory relief. Additionally, the attorney general may bring a civil action in the name of the state to enforce compliance.**

**6. Any successful action pursuant to this section may result in the recovery of costs and reasonable attorney's fees.**

**7. As used in this section:**

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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**(a) "Judicial warrant or order" shall mean a warrant or order that is signed by a United States district judge or federal magistrate judge and demonstrates probable cause to believe an individual has committed a crime or offense.**

**(b) "Administrative warrant" shall mean a warrant that is prepared and issued by federal immigration authorities and directs federal officials to arrest a noncitizen for removal or removal proceedings.**

**(c) "Immigration detainer" shall mean a request, typically issued by federal immigration authorities to local law enforcement agencies, to keep an individual in custody for up to forty-eight hours beyond when the individual is scheduled for release.**

§ 3. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

§ 4. This act shall take effect immediately.