STATE OF NEW YORK

8523

2025-2026 Regular Sessions

IN SENATE

October 3, 2025

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the civil rights law, in relation to protecting New Yorkers from unnecessary inquiry into immigration status and restricting federal immigration authorities' access to state buildings

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

Section 1. The civil rights law is amended by adding a new article 5-B to read as follows:

ARTICLE 5-B

NONCITIZEN PROTECTION AND PUBLIC SAFETY ACT

Section 58. Definitions.
59. Respecting the privacy of personal information by agencies and authorities.
59-a. Federal immigration authorities access to state buildings.

§ 58. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "undocumented noncitizen" shall mean any person who is not a citizen or national of the United States residing within the United States and does not hold a valid student, work, or other visa or otherwise does not hold documented immigration status;

2. "illegal activity" shall mean any unlawful activity that constitutes a crime under state or federal law. An individual's status as an undocumented noncitizen alone shall not constitute "illegal activity";

3. "state facility" shall mean any building, or part thereof, owned or leased by any of the following state entities: (i) any agency or department over which the governor has executive authority or (ii) any public benefit corporations, public authority, board, or commission for which the governor appoints the chair, chief executive, or the majority of the board members, except the port authority of New York and New Jersey;

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

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4. "judicial warrant" shall mean a warrant issued by a magistrate sitting in the judicial branch of local, state, or federal government; and

5. "judicial order" shall mean an order issued by a magistrate sitting in the judicial branch of local, state, or federal government.

§ 59. Respecting the privacy of personal information by agencies and authorities. 1. No state officer or employee, other than law enforcement officers as provided in subdivision three of this section, shall inquire about an individual's immigration status unless:

a. the status of such individual is necessary to determine their eligibility for a program, benefit, or the provision of a service; or

b. the state officer or employee is required by law to inquire about such individual's status.

2. State officers and employees, including law enforcement officers, shall not disclose information to federal immigration authorities for the purpose of federal civil immigration enforcement, unless required by law or judicial warrant or order. Notwithstanding such prohibition, this section shall not prohibit, or in any way restrict, any state employee from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of any individual, as required by law.

3. No law enforcement officer shall inquire about an individual's immigration status unless investigating such individual's illegal activity, provided, however, that such inquiry is relevant to the illegal activity under investigation. Nothing in this section shall restrict law enforcement officers from seeking documents for the purpose of identification following arrest.

a. The prohibition against inquiring into status under this subdivision shall include, but not be limited to, instances where an individual approaches a law enforcement officer seeking assistance, is the victim of a crime, or is witness to a crime.

b. Law enforcement officers shall not use state resources, equipment, or personnel for the purpose of detecting and apprehending any individual suspected of or wanted only for violating a civil immigration offense. Law enforcement officers shall not have authority to take any police action solely because a person is an undocumented noncitizen, including, but not limited to, identifying, questioning, detaining, or demanding to inspect federal immigration documents.

§ 59-a. Federal immigration authorities access to state buildings. A civil arrest by federal immigration authorities shall only be executed within state facilities when accompanied by a judicial warrant or judicial order authorizing such federal immigration authorities to take into custody the person who is the subject of such warrant, unless such civil arrest is related to a proceeding within such facility.

§ 2. This act shall take effect immediately.