

# 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:

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

### ARTICLE 5-B

#### NONCITIZEN PROTECTION AND PUBLIC SAFETY ACT

##### Section 58. Definitions.

6 59. Respecting the privacy of personal information by agencies and  
7 authorities.

8 59-a. Federal immigration authorities access to state buildings.

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

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

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

18 3. "state facility" shall mean any building, or part thereof, owned or  
19 leased by any of the following state entities: (i) any agency or depart-  
20 ment over which the governor has executive authority or (ii) any public  
21 benefit corporations, public authority, board, or commission for which  
22 the governor appoints the chair, chief executive, or the majority of the  
23 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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1 4. "judicial warrant" shall mean a warrant issued by a magistrate  
2 sitting in the judicial branch of local, state, or federal government;  
3 and

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

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

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

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

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

22 3. No law enforcement officer shall inquire about an individual's  
23 immigration status unless investigating such individual's illegal activ-  
24 ity, provided, however, that such inquiry is relevant to the illegal  
25 activity under investigation. Nothing in this section shall restrict law  
26 enforcement officers from seeking documents for the purpose of identifi-  
27 cation following arrest.

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

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

39 § 59-a. Federal immigration authorities access to state buildings. A  
40 civil arrest by federal immigration authorities shall only be executed  
41 within state facilities when accompanied by a judicial warrant or judi-  
42 cial order authorizing such federal immigration authorities to take into  
43 custody the person who is the subject of such warrant, unless such civil  
44 arrest is related to a proceeding within such facility.

45 § 2. This act shall take effect immediately.