

Hall of the House of Representatives

95th General Assembly - Fiscal Session, 2026

Amendment Form**DRAFT**

Subtitle of House Bill 1052

AN ACT TO MAKE AN APPROPRIATION FOR STATE TURNBACK FOR COUNTIES AND MUNICIPALITIES BY THE OFFICE OF THE TREASURER OF STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2027; AND FOR OTHER PURPOSES.

Amendment No. ___ to House Bill 1052

Amend House Bill 1052 as engrossed H4/15/26 (version: 4/15/26 03:20:17 PM):

Page 7, immediately following SECTION 13, insert the following:

" SECTION 14. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 14-1-103(a), concerning the prohibition against sanctuary policies, is amended to add an additional subdivision to read as follows:

(3) A local government that enacts or adopts a sanctuary policy is ineligible to receive turnback funds until the sanctuary policy is repealed or no longer in effect.

SECTION 15. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 14-1-103(b), concerning definitions related to sanctuary policies, is amended to read as follows:

(b) As used in this section:

(1) “Local government” means:

(A) A county;

(B) A city of the first class, a city of the second class, or an incorporated town; or

(C) Any other political subdivision of the state; ~~and~~

(2) “Sanctuary policy” means an order, ordinance, or law enforcement policy, whether formally enacted or informally adopted by custom

or practice, that:

(A) Limits or prohibits a local government official or person employed by the local government from communicating or cooperating with federal agencies or officials to verify or report the immigration status of a person within the local government;

(B) Grants to illegal immigrants the right to lawful presence or status within the local government in violation of federal law;

(C) Violates 8 U.S.C. § 1373, as in effect January 1, 2019;

(D) Restricts or imposes any conditions upon the local government's cooperation or compliance with detainers or other requests from United States Immigration and Customs Enforcement to maintain custody of an immigrant or to transfer an immigrant to the custody of United States Immigration and Customs Enforcement;

(E) Requires United States Immigration and Customs Enforcement to obtain a warrant or demonstrate more than probable cause before complying with detainers or other legal and valid requests from United States Immigration and Customs Enforcement to maintain custody of an immigrant or to transfer an immigrant to the custody of United States Immigration and Customs Enforcement; or

(F) Prevents law enforcement officers from asking a person about his or her citizenship or immigration status; and

(3) "Turnback funds" means general revenue turnback funds, as defined in the Revenue Stabilization Law, § 19-20-101 et seq.

SECTION 16. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 14-1-103(c)(2), concerning the Attorney General's opinion whether a local government has sanctuary policies in place, is amended to read as follows:

(2) If the Attorney General issues an opinion stating that the local government has enacted or adopted a sanctuary policy that violates this section, the local government is ineligible to receive:

(A) ~~discretionary~~ Discretionary moneys provided through funds or grants administered by the state until the Attorney General certifies that the sanctuary policy is repealed or no longer in effect; and

(B)(i) Turnback funds for the period of time that the sanctuary policy is in effect.

(ii) The Attorney General shall notify the Treasurer of State of the violation and upon notice of the Attorney General, the Treasurer of State shall withhold all turnback funds due to the local government until the Attorney General certifies that the sanctuary policy is repealed or no longer in effect.

(iii) The turnback funds withheld from the local government under this subdivision (c)(2)(B) shall be redistributed to all other local governments receiving turnback funds.

AND

Appropriately renumber subsequent SECTION numbers of the bill."

The Amendment was read _____
By: Representative Underwood
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Chief Clerk