

**ASSEMBLY, No. 5104**

---

**STATE OF NEW JERSEY**

**221st LEGISLATURE**

---

INTRODUCED DECEMBER 12, 2024

**Sponsored by:**

**Assemblyman ROBERT AUTH**

**District 39 (Bergen)**

**Assemblyman JOHN V. AZZARITI JR., M.D.**

**District 39 (Bergen)**

**Co-Sponsored by:**

**Assemblyman Myhre, Assemblywoman Flynn, Assemblymen Clifton,  
Webber and Torrissia**

**SYNOPSIS**

Requires law enforcement agencies to adopt policies of cooperation with federal immigration officials.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/14/2025)**

1 AN ACT concerning law enforcement agencies and supplementing  
2 Title 40A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. Every interstate, State, county, county park, and  
8 municipal police department or force that employs law enforcement  
9 officers and every educational institution which appoints police  
10 officers pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.) shall  
11 adopt a policy of cooperation with requests from federal  
12 immigration authorities.

13 b. Subject to the approval of the Attorney General, the State  
14 shall defend a law enforcement officer in any civil action seeking to  
15 impose liability arising out of any actual or alleged act, error, or  
16 omission that occurred while cooperating with federal immigration  
17 authorities pursuant to section 1 of P.L. , c. (C. ) (pending  
18 before the Legislature as this bill), provided that the actual or  
19 alleged act, error, or omission did not result from intentional or  
20 willful and wanton misconduct on the part the law enforcement  
21 officer.

22 c. The State of New Jersey shall indemnify and hold a law  
23 enforcement officer harmless in the amount of any settlement or  
24 judgment obtained against the law enforcement officer arising out  
25 of any actual or alleged act, error, or omission that occurred while  
26 cooperating with federal immigration authorities pursuant to P.L. ,  
27 c. (C. ) (pending before the Legislature as this bill), provided  
28 that the actual or alleged act, error, or omission did not result from  
29 intentional or willful and wanton misconduct on the part of the law  
30 enforcement officer.

31 d. For the purposes of this section, “law enforcement officer”  
32 means a person whose public duties include the power to act as an  
33 officer for the detection, apprehension, arrest and conviction of  
34 offenders against the laws of this State, including police officers  
35 appointed pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.).

36

37 2. This act shall take effect on the first day of the fourth month  
38 next following the date of enactment.

39

40

41

#### STATEMENT

42

43 This bill requires interstate, State, county, county park, and  
44 municipal police departments or forces and educational institutions  
45 that appoint law enforcement officers to adopt a policy of  
46 cooperation with federal immigration authorities. The bill defines  
47 “law enforcement officer” as a person whose public duties include

**A5104 AUTH, AZZARITI**

1 the power to act as an officer for the detection, apprehension, arrest  
2 and conviction of offenders against the laws of this State.

3 Additionally, the bill provides that subject to the approval of the  
4 Attorney General, the State would be required to defend a law  
5 enforcement officer in any civil action seeking to impose liability  
6 arising out of any actual or alleged act, error, or omission that  
7 occurred while cooperating with federal immigration authorities,  
8 provided that the actual or alleged act, error, or omission did not  
9 result from intentional or willful and wanton misconduct on the part  
10 the law enforcement officer. The bill also provides that a law  
11 enforcement officer would be indemnified and held harmless by the  
12 State in the amount of any settlement or judgment obtained against  
13 the law enforcement officer for complying with the bill's provisions  
14 and cooperating with federal immigration authorities provided that  
15 the actual or alleged act, error, or omission did not result from  
16 intentional or willful and wanton misconduct on the part the law  
17 enforcement officer.