

# Recent Legislation Limiting Local Government Cooperation with Federal Immigration Authorities

*By Nick Cotton-Baez, CIRSA Associate General Counsel*

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Municipal officials and employees should take immediate steps to familiarize themselves with the requirements of Colorado [Senate Bill 25-276](#), the Protect Civil Rights Immigration Status bill (the “Act”), and particularly the provisions applicable to municipalities codified primarily at C.R.S. §§ 24-74-101, et seq., and 24-76.6-101, et seq. The Act, which became law on May 23, 2025, significantly expands existing prohibitions on voluntary cooperation by state officials with federal immigration enforcement efforts and extends their applicability to political subdivisions, including municipalities and municipal law enforcement agencies.

At its core, the Act prohibits the sharing of a wide range of personal information and personally identifying information (PII) with federal immigration authorities by restricting the information municipalities may request or inquire into, collect, disclose, or upload to a database, if for immigration enforcement purposes. Specifically, municipal officials and employees, including law enforcement, are prohibited from inquiring into or requesting information or documents to ascertain a person’s immigration status for the purpose of identifying if the person has complied with federal immigration laws, except as required by state and federal law, or as necessary to perform municipal duties or to verify eligibility for certain government programs.

Further, municipal officials and employees are prohibited from disclosing or making accessible, including through a database or automated network, PII that is not “publicly available information” for the purpose of “investigating for, participating in, cooperating with, or assisting in federal immigration enforcement,” except as required by federal or state law, including requirements that are necessary to perform municipal duties, or as required to comply with a court-issued subpoena, warrant, or order.

In expanding the state-level prohibitions to now apply to municipalities, the Act also clarified that these provisions do not restrict an official or employee from investigating, participating in, cooperating with, or assisting federal law enforcement agencies in criminal investigations, as distinguished from the above-described activities prohibited for purposes of federal immigration enforcement.

The Act limits cooperation between local law enforcement and federal immigration authorities by also prohibiting local law enforcement from detaining individuals based solely on civil immigration detainers, clarifying that such detainers do not constitute valid warrants under Colorado Law. Local enforcement officers are further prevented from soliciting private citizens to assist in the arrest or detainment of individuals based on a civil immigration detainer.

A municipal official or employee found to have intentionally violated the Act is subject to an injunction and a civil penalty<sup>i</sup> of up to \$50,000 per violation, payable to the Colorado Immigration Legal Defense Fund.<sup>ii</sup>

As the Act took effect immediately on May 23, municipalities and law enforcement agencies that have not yet done so should, in close collaboration with legal counsel, promptly review and update their policies, practices and procedures to ensure their alignment with the Act. Additionally, law enforcement agencies should carefully review any existing information-sharing agreements and practices with federal authorities and review and update those agreements and practices, as well

as internal arrest, booking, and detention protocols, and ensure all personnel understand the prohibitions of the Act.

If you have questions about this article, contact CIRSA's Associate General Counsel, Nick Cotton-Baez, at [nickc@cirsa.org](mailto:nickc@cirsa.org).

*Note: This article is intended for general information purposes only and is not intended or to be construed as legal advice on any specific issue. Readers should consult with their entity's own counsel for guidance tailored to their circumstances and legal advice on specific issues.*

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- i. It is unclear whether the legislature intended to create a private right of action by which an aggrieved individual may bring a lawsuit against a municipal official or employee for an alleged violation of the Act. As of this article's publication date, no court has addressed the issue. Further discussion of the issue is beyond the scope of this article.
- ii. In a recent and widely reported development, the State of Colorado, on July 22, 2025, filed its first civil enforcement action against a local government employee under the Act. The civil complaint, filed against a County Sheriff's Deputy, can be found via the link in this Colorado Attorney General's [press release](#).

*Published on 08/05/2025*