

2025 -- H 5225

LC000884

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT --THE PROTECTED SPACES ACT

Introduced By: Representatives Alzate, Potter, Casimiro, Giraldo, Morales, Boylan,  
Sanchez, Voas, Ajello, and Kazarian

Date Introduced: January 29, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Legislative findings.

2 The general assembly makes the following findings and declarations:

3 (1) A relationship of trust between Rhode Island's immigrant community and state and  
4 local agencies is central to the public safety of the people of Rhode Island.

5 (2) This trust is threatened when immigrant community members fear seeking basic  
6 healthcare services, transporting their children to and from school and practicing their religion, to  
7 the detriment of the well-being of all Rhode Islanders.

8 (3) State and local participation in federal immigration enforcement raises constitutional  
9 concerns, including the prospect that Rhode Island residents could be detained in violation of the  
10 Fourth Amendment of the United States Constitution, targeted on the basis of race or ethnicity in  
11 violation of the Equal Protection Clause, or denied access to education based on immigration status.

12 (4) This act seeks to protect the safety, health, well-being and constitutional rights of the  
13 people of Rhode Island.

14 SECTION 2. Title 42 of the General Laws entitled "STATE AFFAIRS AND  
15 GOVERNMENT" is hereby amended by adding thereto the following chapter:

16 CHAPTER 167

17 THE PROTECTED SPACES ACT

18 42-167-1. Short title.

19 This chapter shall be known and may be cited as "The Protected Spaces Act."

1           **42-167-2. Definitions.**

2           The following terms have the following meanings:

3           (1) "Civil immigration warrant" means any warrant for a violation of federal civil  
4 immigration law, and includes civil immigration warrants entered in the National Crime  
5 Information Database.

6           (2) "Federal immigration authority" means any officer, employee, or person otherwise paid  
7 by or acting as an agent of United States Immigration and Customs Enforcement or United States  
8 Custom and Border Protection or any division or designee thereof, or any other officer, employee,  
9 or person otherwise paid by or acting as an agent of the United States Department of Homeland  
10 Security or United States Department of State who is charged with immigration enforcement.

11           (3) "Health facilities" means any medical treatment facility, including hospitals, healthcare  
12 clinics, or urgent care facilities, doctors' offices, substance abuse treatment facilities or any facility  
13 that provides medical or mental health care.

14           (4) "Immigration enforcement" means and includes any and all efforts to investigate,  
15 enforce, or assist in the investigation or enforcement of any federal civil immigration law and any  
16 federal criminal immigration law that penalizes a person's presence in, entry, or reentry to, or  
17 employment in, the United States including, but not limited to, violations of Sections 1259, 1324c,  
18 1325, or 1326 of Title 8 of the United States Code (8 U.S.C. §§ 1259, 1324, 1325 and 1326).

19           (5) "Judicial warrant" means a warrant based on probable cause and issued by a federal  
20 judge or a federal magistrate judge that authorizes federal immigration authorities to take into  
21 custody the person who is the subject of the warrant.

22           (6) "Places of worship" means any facility rented, owned or leased where religious services  
23 or ceremonies take place including, but not limited to, such events as worship services, marriages,  
24 funerals, and baptisms.

25           (7) "Public libraries" means any library that is established by state or local laws or  
26 regulations and is supported, in whole or in part, with public funds.

27           (8) "Schools" means any public, private or charter school, including independent, district  
28 charter schools and mayoral academies, pre-schools and other early learning programs, known and  
29 licensed daycares, primary or secondary schools and institutions of higher education, as well as  
30 scholastic or education-related activities or events.

31           **42-167-3. Protected locations.**

32           Rhode Island schools, places of worship, health facilities and public libraries shall not grant  
33 access to their premises, for any federal immigration authority to investigate, detain, apprehend, or  
34 arrest any individuals for potential violations of federal immigration laws, unless such federal

1 [immigration authority presents a judicial warrant that clearly identifies the individual whom the](#)  
2 [federal authority seeks to locate, serve, or apprehend.](#)

3 **42-167-4. Severability.**

4 [The provisions of this chapter are severable. If any provision of this chapter or its](#)  
5 [application is held invalid, that invalidity shall not affect other provisions or applications that can](#)  
6 [be given effect without the invalid provision or application.](#)

7 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
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1           This act would limit the ability for any federal immigration authority to investigate, detain,  
2    apprehend or arrest any individuals for potential violations of federal immigration laws without a  
3    judicial warrant within certain protected locations.

4           This act would take effect upon passage.

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