

# HOUSE BILL 1292

E4, E2

6lr1788

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By: **Delegate McDonough**

Introduced and read first time: February 12, 2016

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **State and Local Correctional Facilities – Release – Notification of Immigration**  
3 **Status**

4 FOR the purpose of requiring the Department of Public Safety and Correctional Services  
5 or the managing official of a correctional facility to give notice to the United States  
6 Department of Homeland Security of the release from a State correctional facility or  
7 a local correctional facility of an inmate who has a certain immigration status within  
8 a certain number of days before release; declaring the intent of the General  
9 Assembly; and generally relating to release from State and local correctional  
10 facilities.

11 BY adding to  
12 Article – Correctional Services  
13 Section 9–614  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2015 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
17 That the Laws of Maryland read as follows:

18 **Article – Correctional Services**

19 **9–614.**

20 **IF THE IMMIGRATION STATUS OF AN INMATE IN A STATE CORRECTIONAL**  
21 **FACILITY OR A LOCAL CORRECTIONAL FACILITY IS UNDOCUMENTED OR THE INMATE**  
22 **IS NOT OTHERWISE LAWFULLY AUTHORIZED TO BE PRESENT WITHIN THE COUNTRY,**  
23 **THE DEPARTMENT OR MANAGING OFFICIAL SHALL PROVIDE NOTICE TO THE**  
24 **UNITED STATES DEPARTMENT OF HOMELAND SECURITY AT LEAST 10 DAYS**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **BEFORE THE RELEASE OF THE INMATE FROM THE FACILITY THAT THE INMATE WILL**  
2 **BE RELEASED FROM CUSTODY.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General  
4 Assembly that federal funds be withheld from any State correctional facility or local  
5 correctional facility that does not comply with the reporting requirements of this Act.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2016.