

SENATE BILL 85

P1

(PRE-FILED)

11r0899
CF HB 15

By: **Senator Rosapepe**

Requested: October 9, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 27, 2021

CHAPTER _____

1 AN ACT concerning

2 **Creating Governor's Office of Immigrant Affairs**

3 FOR the purpose of creating the Governor's Office of Immigrant Affairs; providing for the
4 appointment, powers, duties, and salary of the Director of the Office; providing for
5 the powers, duties, and responsibilities of the Office; providing for staffing of the
6 Office; requiring the Director to submit certain annual reports to certain persons on
7 or before certain dates; defining certain terms; and generally relating to the
8 Governor's Office of Immigrant Affairs.

9 BY adding to

10 Article – State Government

11 Section 9–3301 through 9–3304 to be under the new subtitle “Subtitle 33. Governor’s
12 Office of Immigrant Affairs”

13 Annotated Code of Maryland

14 (2014 Replacement Volume and 2020 Supplement)

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

17 **Article – State Government**

18 **SUBTITLE 33. GOVERNOR'S OFFICE OF IMMIGRANT AFFAIRS.**

19 **9–3301.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (B) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE.

4 (C) "ESOL PROGRAM" MEANS AN ENGLISH FOR SPEAKERS OF OTHER
5 LANGUAGES PROGRAM.

6 (D) "IMMIGRANT" MEANS AN INDIVIDUAL WHO:

7 (1) IS A RESIDENT OF THE STATE;

8 (2) IS NOT A CITIZEN OF THE UNITED STATES; AND

9 (3) WHOSE COUNTRY OF ORIGIN IS A COUNTRY OTHER THAN THE
10 UNITED STATES.

11 (E) "OFFICE" MEANS THE GOVERNOR'S OFFICE OF IMMIGRANT AFFAIRS.

12 9-3302.

13 (A) THERE IS A GOVERNOR'S OFFICE OF IMMIGRANT AFFAIRS.

14 (B) (1) THE HEAD OF THE OFFICE IS THE DIRECTOR.

15 (2) THE DIRECTOR:

16 (I) IS APPOINTED BY THE GOVERNOR; AND

17 (II) SERVES AT THE PLEASURE OF THE GOVERNOR AND IS
18 RESPONSIBLE DIRECTLY TO THE GOVERNOR; AND

19 (III) IS ENTITLED TO THE SALARY PROVIDED IN THE STATE
20 BUDGET.

21 (C) (1) THE OFFICE SHALL:

22 (I) ADVISE THE GOVERNOR ON ALL MATTERS ASSIGNED TO
23 THE OFFICE; AND

24 (II) CARRY OUT THE GOVERNOR'S POLICIES ON MATTERS
25 ASSIGNED TO THE OFFICE.

1 **(2) THE DIRECTOR SHALL:**

2 **(I) MANAGE THE OPERATION OF THE OFFICE AND ESTABLISH**
3 **GUIDELINES AND PROCEDURES TO PROMOTE THE ORDERLY AND EFFICIENT**
4 **OPERATION OF THE OFFICE; AND**

5 **(II) ADOPT REGULATIONS NECESSARY TO CARRY OUT THE**
6 **PROVISIONS OF THIS SUBTITLE.**

7 **(3) SUBJECT TO THE PROVISIONS OF THIS SUBTITLE, THE DIRECTOR**
8 **MAY ESTABLISH, REORGANIZE, OR CONSOLIDATE AREAS OF RESPONSIBILITY IN THE**
9 **OFFICE AS NECESSARY TO FULFILL THE RESPONSIBILITIES ASSIGNED BY THE**
10 **DIRECTOR.**

11 **(D) THE OFFICE SHALL EMPLOY STAFF TO CARRY OUT ITS DUTIES AS**
12 **PROVIDED IN THE STATE BUDGET.**

13 **9-3303.**

14 ~~**THE**~~ **SUBJECT TO THE AVAILABILITY OF FUNDING, THE OFFICE SHALL:**

15 **(1) ESTABLISH A NETWORK OF NEIGHBORHOOD-BASED**
16 **OPPORTUNITY CENTERS THAT PROVIDE IMMIGRATION SERVICES TO IMMIGRANTS;**

17 **(2) INCREASE ACCESS TO ESOL PROGRAMS, INCLUDING BY**
18 **ENGAGING NONPROFIT ORGANIZATIONS AND OTHER QUALIFIED PROVIDERS OF**
19 **ESOL PROGRAMS;**

20 **(3) ASSIST IMMIGRANTS IN MATTERS RELATING TO IMMIGRATION**
21 **STATUS, INCLUDING ASSISTING WITH THE NATURALIZATION PROCESS AND**
22 **APPLICATIONS FOR DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA);**

23 **(4) CONNECT IMMIGRANTS TO:**

24 **(I) BUSINESS RESOURCES THAT USE THE IMMIGRANTS' SKILLS;**

25 **(II) EMPLOYMENT REFERRAL PROGRAMS; AND**

26 **(III) OTHER WORKFORCE DEVELOPMENT PROGRAMS;**

27 **(5) DEVELOP AND LEVERAGE IMMIGRANTS' SKILLS TO BENEFIT THE**
28 **IMMIGRANTS' COMMUNITIES AND THE STATE;**

1 **(6) STRENGTHEN THE CONNECTION BETWEEN IMMIGRANTS AND THE**
2 **IMMIGRANTS' COMMUNITIES THROUGH CIVIC ENGAGEMENT;**

3 **(7) REDUCE EXPLOITATION OF IMMIGRANTS;**

4 **(8) ESTABLISH A TOLL-FREE, MULTILINGUAL HOTLINE AND A**
5 **WEBSITE FOR PURPOSES INCLUDING:**

6 **(I) DISSEMINATING INFORMATION ABOUT THE PROGRAMS AND**
7 **SERVICES OFFERED BY THE OFFICE;**

8 **(II) REFERRING FOR SERVICES; AND**

9 **(III) RECEIVING COMPLAINTS RELATING TO FRAUD AND OTHER**
10 **RELATED CRIMES AGAINST IMMIGRANTS;**

11 **(9) ENSURE THAT INDIVIDUALS REFERRED BY THE OFFICE ARE**
12 **DIRECTED TO PERSONS WHO ARE:**

13 **(I) IN COMPLIANCE WITH TITLE 14, SUBTITLE 33 OF THE**
14 **COMMERCIAL LAW ARTICLE; OR**

15 **(II) AUTHORIZED BY THE FEDERAL OFFICE OF LEGAL ACCESS**
16 **PROGRAMS;**

17 **(10) USING INFORMATION DEVELOPED BY THE OFFICE THROUGH THE**
18 **HOTLINE ESTABLISHED UNDER THIS SECTION, ASSIST LAW ENFORCEMENT IN**
19 **COMBATING CRIMES AGAINST IMMIGRANTS;**

20 **(11) ADVISE THE GOVERNOR AND DIRECTOR CONCERNING MATTERS**
21 **AFFECTING IMMIGRANTS IN THE STATE IN ORDER TO PROMOTE AND ENCOURAGE**
22 **THE FULL PARTICIPATION OF IMMIGRANTS IN THE STATE'S CIVIC AND ECONOMIC**
23 **LIFE;**

24 **(12) COORDINATE WITH OTHER STATE AGENCIES AND OTHERWISE USE**
25 **THE RESOURCES OF THE STATE TO SERVE THE NEEDS OF IMMIGRANTS; AND**

26 **(13) ENCOURAGE AND ASSIST LOCAL GOVERNMENTS IN THE**
27 **DEVELOPMENT OF ACTIVITIES TO ENHANCE CIVIC ENGAGEMENT AMONG**
28 **IMMIGRANTS AND IN IMMIGRANT COMMUNITIES.**

29 **9-3304.**

1 **ON OR BEFORE JUNE 15, 2022, AND EACH YEAR THEREAFTER, THE DIRECTOR**
2 **SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THIS**
3 **ARTICLE, TO THE MEMBERS OF THE GENERAL ASSEMBLY, A REPORT DESCRIBING**
4 **THE ACTIVITIES OF THE OFFICE, INCLUDING:**

5 **(1) SUMMARIES OF CALLS AND QUERIES RECEIVED THROUGH THE**
6 **HOTLINE AND WEBSITE;**

7 **(2) INFORMATION ON ESOL PROGRAMS PROVIDED BY THE OFFICE;**

8 **(3) THE ESTIMATED OR EXACT NUMBER OF IMMIGRANTS ASSISTED**
9 **THROUGH OPPORTUNITY CENTERS;**

10 **(4) THE STATUS OF ANY WORKFORCE DEVELOPMENT PROGRAMS;**
11 **AND**

12 **(5) ANY OTHER RELEVANT INFORMATION.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.