

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 1217
Judiciary

(Delegate Impallaria, *et al.*)

Baltimore County - Illegal Aliens - Detention Requirement

This bill requires a police officer in Baltimore County to detain an individual encountered by the officer during normal duties, determined to be an undocumented alien, and who has been taken into custody. The detention must be continued until the individual is transferred to the custody of the U.S. Bureau of Citizenship and Immigration Services of the U.S. Department of Homeland Security.

A police officer in Baltimore County may not search for undocumented aliens solely for the purpose of detaining them and must inform the U.S. Bureau of Citizenship and Immigration Services of the U.S. Department of Homeland Security as soon as possible after such a detention.

Fiscal Summary

State Effect: None. Assuming the occurrence of only a small number of such detentions, any enforcement responsibilities for the State Police would be handled with existing budgeted resources.

Local Effect: None. Assuming the occurrence of only a small number of such detentions, any enforcement responsibilities for Baltimore County would be handled with existing budgeted resources.

Small Business Effect: None.

Analysis

Current Law: Maryland law does not currently directly address police detention of undocumented aliens.

Additional Information

Prior Introductions: HB 79 of 2004, a similar bill, received an unfavorable report from the Judiciary Committee.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Baltimore County, Department of Legislative Services

Fiscal Note History: First Reader - March 15, 2005
mam/hlb

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