

HOUSE BILL 272

F2

7lr1689

By: **Delegates Queen, Cullison, Fraser–Hidalgo, Jalisi, Korman, Lewis, Lierman,
Moon, Morales, Pena–Melnik, Robinson, Sanchez, and Tarlau**

Introduced and read first time: January 23, 2017

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Public Institutions of Higher Education – Sanctuary**
3 **Campus Status**

4 FOR the purpose of establishing that each public institution of higher education in the
5 State is a sanctuary campus with respect to certain federal immigration policies and
6 requirements; prohibiting an institution from releasing certain information
7 concerning the immigration status of students and employees of the institution;
8 requiring federal immigration officials to provide certain notice to an institution
9 before entering the campus of the institution; requiring each institution to offer
10 certain financial assistance, housing, legal services, and other resources to certain
11 immigrant students who attend the institution; and generally relating to sanctuary
12 campus status for public institutions of higher education in the State.

13 BY adding to

14 Article – Education

15 Section 15–121

16 Annotated Code of Maryland

17 (2014 Replacement Volume and 2016 Supplement)

18 Preamble

19 WHEREAS, Institutions of higher education traditionally have been beacons of free
20 thought that challenge students in a peaceful, safe environment; and

21 WHEREAS, The institutions of higher education in the State have long been a source
22 of great pride; and

23 WHEREAS, There exists the potential for great harm to students enrolled in the
24 State’s public institutions of higher education as a result of changes in the approach to
25 immigration policies and enforcement at the federal level; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, It is very important that the State endeavor to protect our students
2 enrolled in the State's public institutions of higher education and ensure that, regardless
3 of a student's immigration status, the student may continue to take advantage of the
4 educational opportunities available at the institution free from intimidation or risk of a loss
5 of access to resources and programs that other students enjoy; now, therefore,

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

8 **Article – Education**

9 **15–121.**

10 **THE GOVERNING BODY OF EACH PUBLIC INSTITUTION OF HIGHER EDUCATION**
11 **IN THE STATE SHALL ENSURE, TO THE FULLEST EXTENT CONSISTENT WITH**
12 **FEDERAL LAW, THAT THE INSTITUTION:**

13 **(1) REFRAINS FROM RELEASING INFORMATION REGARDING THE**
14 **IMMIGRATION STATUS OF ANY STUDENT ATTENDING OR OF ANY INDIVIDUAL**
15 **EMPLOYED BY THE INSTITUTION;**

16 **(2) REFUSES TO ALLOW OFFICERS OR EMPLOYEES OF UNITED**
17 **STATES IMMIGRATION AND CUSTOMS ENFORCEMENT TO ENTER THE CAMPUS OF**
18 **THE INSTITUTION ON OFFICIAL BUSINESS UNLESS THE AGENCY PROVIDES TO THE**
19 **CHIEF EXECUTIVE OFFICER OF THE CAMPUS AT LEAST 10 BUSINESS DAYS BEFORE**
20 **THE PROPOSED ENTRY ONTO THE CAMPUS A WRITTEN DESCRIPTION OF:**

21 **(I) THE NATURE OF THE OFFICIAL BUSINESS; AND**

22 **(II) THE NECESSITY FOR ENTERING THE CAMPUS IN**
23 **FURTHERANCE OF THAT OFFICIAL BUSINESS;**

24 **(3) PROVIDES STIPENDS FOR HEALTH CARE FOR ANY STUDENT WHO**
25 **IS NOT ELIGIBLE FOR MEDICAID AND CANNOT AFFORD TO PAY FOR HEALTH**
26 **INSURANCE PROVIDED THROUGH THE INSTITUTION;**

27 **(4) DURING THE PERIOD BETWEEN ANY ACADEMIC TERM, OFFERS**
28 **ON-CAMPUS HOUSING, OR A STIPEND TO COVER THE COST OF OFF-CAMPUS**
29 **HOUSING, TO ANY STUDENT WHO FACES A SIGNIFICANT RISK OF BEING UNABLE TO**
30 **RETURN TO CAMPUS TO RESUME STUDIES IF THE STUDENT TRAVELS TO THE**
31 **STUDENT'S FAMILY RESIDENCE DURING THE ACADEMIC BREAK;**

1 **(5) PROVIDES ACCESS TO LEGAL SERVICES WITHOUT COST TO ANY**
2 **STUDENT WHO FACES A SIGNIFICANT RISK OF BEING UNABLE TO COMPLETE THE**
3 **STUDENT’S STUDIES BECAUSE OF POSSIBLE ACTIONS BY UNITED STATES**
4 **IMMIGRATION AND CUSTOMS ENFORCEMENT OR OTHER FEDERAL AGENCIES OR**
5 **AUTHORITIES; AND**

6 **(6) IN THE EVENT THE FEDERAL DEFERRED ACTION FOR**
7 **CHILDHOOD ARRIVALS POLICY IS REVERSED, PROVIDES THAT:**

8 **(I) FUNDING IS MADE AVAILABLE TO ANY STUDENT TO WHOM**
9 **THE FEDERAL DEFERRED ACTION FOR CHILDHOOD ARRIVALS POLICY WAS**
10 **APPLICABLE SO THAT THE STUDENT MAY CONTINUE TO RECEIVE:**

- 11 **1. FINANCIAL AID;**
- 12 **2. FELLOWSHIP STIPENDS;**
- 13 **3. EXEMPTION FROM NONRESIDENT TUITION FEES;**
- 14 **4. FUNDING FOR RESEARCH OR OTHER EDUCATIONAL**
15 **PROJECTS; AND**
- 16 **5. ANY OTHER BENEFITS FORMERLY RECEIVED BY THE**
17 **STUDENT; AND**

18 **(II) OFFICE SPACE AND DESIGNATED STAFF ARE MADE**
19 **AVAILABLE TO ASSIST, ON A STRICTLY CONFIDENTIAL BASIS:**

- 20 **1. ANY STUDENT FORMERLY COVERED BY THE FEDERAL**
21 **DEFERRED ACTION FOR CHILDHOOD ARRIVALS POLICY; AND**
- 22 **2. ANY OTHER STUDENT WHO MAY FACE SIMILAR ISSUES**
23 **UNDER THE FEDERAL DEFERRED ACTION FOR CHILDHOOD ARRIVALS POLICY THAT**
24 **PLACES AT RISK THE STUDENT’S ABILITY TO CONTINUE THE STUDENT’S**
25 **EDUCATIONAL PROGRAM.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2017.