

HOUSE BILL 1505

E5
HB 756/22 – JUD

4lr3480

By: **Delegates Szeliga, Adams, Arentz, Arikan, Buckel, Chisholm, Fisher, Grammer, Hartman, Hutchinson, Jacobs, Kipke, Mangione, McComas, Metzgar, M. Morgan, Nawrocki, Otto, Reilly, Rose, and Valentine**

Introduced and read first time: February 21, 2024

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Transfers to Federal Authorities – Undocumented**
3 **Immigrants**
4 **(Protecting Marylanders From Violent Crime Act of 2024)**

5 FOR the purpose of requiring a certain State or local correctional facility, on request of the
6 United States Department of Homeland Security, to transfer a certain
7 undocumented immigrant to the United States Department of Homeland Security
8 under certain circumstances; and generally relating to transfers of incarcerated
9 individuals to federal authorities.

10 BY adding to
11 Article – Correctional Services
12 Section 9–309
13 Annotated Code of Maryland
14 (2017 Replacement Volume and 2023 Supplement)

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

17 **Article – Correctional Services**

18 **9–309.**

19 **ON REQUEST OF THE UNITED STATES DEPARTMENT OF HOMELAND**
20 **SECURITY, A STATE OR LOCAL CORRECTIONAL FACILITY WITH CUSTODY OF AN**
21 **UNDOCUMENTED IMMIGRANT WHO IS SERVING A SENTENCE IN THE FACILITY FOR**
22 **CONVICTION OF A CRIME SHALL TRANSFER THE INDIVIDUAL TO THE UNITED**
23 **STATES DEPARTMENT OF HOMELAND SECURITY IF THE INDIVIDUAL:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) HAS ENGAGED IN OR IS SUSPECTED OF TERRORISM OR**
2 **ESPIONAGE, OR OTHERWISE POSES A DANGER TO NATIONAL SECURITY;**

3 **(2) HAS BEEN CONVICTED OF AN OFFENSE OF WHICH AN ELEMENT IS**
4 **ACTIVE PARTICIPATION IN A CRIMINAL STREET GANG, AS DEFINED IN 18 U.S.C. §**
5 **521;**

6 **(3) IS AT LEAST 16 YEARS OLD AND INTENTIONALLY PARTICIPATED**
7 **IN A CRIMINAL STREET GANG, AS DEFINED IN 18 U.S.C. § 521, TO FURTHER ILLEGAL**
8 **ACTIVITIES; OR**

9 **(4) HAS BEEN CONVICTED OF AN AGGRAVATED FELONY, AS DEFINED**
10 **IN 8 U.S.C. § 1101.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2024.