

SB0828/543429/1

BY: Delegate M. Morgan

AMENDMENTS TO SENATE BILL 828, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

Strike in their entirety the Judiciary Committee Amendments (SB0828/463527/1).

AMENDMENT NO. 2

On page 1 of the bill, strike in their entirety lines 2 through 4, inclusive, and substitute:

“Correctional Services – Transfers to Federal Authorities – Undocumented Immigrants (Protecting Marylanders From Violent Crime Act of 2025)”;

and strike in their entirety lines 5 through 14, inclusive, and substitute:

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

On pages 1 and 2 of the bill, strike in their entirety the lines beginning with line 15 on page 1 through line 1 on page 2, inclusive, and substitute:

“BY adding to

Article – Correctional Services

Section 9–309

Annotated Code of Maryland

(2017 Replacement Volume and 2024 Supplement)”.

On pages 2 through 5 of the bill, strike in their entirety the lines beginning with line 4 on page 2 through line 13 on page 5, inclusive, and substitute:

“Article – Correctional Services

9–309.

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

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

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

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

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

(5) HAS BEEN CONVICTED OF A SEXUAL OFFENSE FOR WHICH REGISTRATION IS REQUIRED UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE.

On page 5 of the bill, in line 18, strike "June 1" and substitute "October 1".