

Chapter 161

(Senate Bill 810)

AN ACT concerning

~~Public Schools – School Security Personnel – Immigration Investigation and Enforcement~~Immigration Enforcement – Expanding Sensitive Locations, Notification, and Guidance(Maryland Values Act of 2026)

FOR the purpose of requiring certain public school personnel to notify a county superintendent or a county superintendent's designee if the individual receives certain notification of certain immigration enforcement at a school; prohibiting public school ~~security~~ personnel from engaging in certain ~~federal~~ immigration ~~investigation and~~ enforcement functions; prohibiting public school ~~security~~ personnel from producing or sharing certain student or employee information for purposes of ~~federal~~ immigration ~~investigation and~~ enforcement, except under certain circumstances; expanding the definition of sensitive locations relating to the definition of a “public school”; expanding the definition of sensitive locations to include certain locations that distribute food to individuals in need; requiring the Attorney General to update certain guidance on or before a certain date each year and certain public schools, public libraries, and units of the Executive Branch of State and local government to update certain policies; requiring certain courthouses to implement a certain policy and to update the policy as necessary; and generally relating to federal immigration ~~investigation and enforcement in public schools~~ enforcement.

BY repealing and reenacting, with amendments,

Article – Criminal ProcedureSection 2–104 and 2–104.2Annotated Code of Maryland(2025 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education

Section 1–101(a) and (e) and 7–1501(a), (j), and (k)

Annotated Code of Maryland

(2025 Replacement Volume and 2025 Supplement)

BY adding to

Article – Education

Section 7–1508.1

Annotated Code of Maryland

(2025 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 6–111

Annotated Code of Maryland

(2021 Replacement Volume and 2025 Supplement)

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

Article – Criminal Procedure

2–104.

(a) **(1)** In this section[, “federal law enforcement”] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “COUNTY SUPERINTENDENT” HAS THE MEANING STATED IN § 1–101 OF THE EDUCATION ARTICLE.

(3) “~~JUDICIAL COVERED~~ officer” means an officer who may:

[(1)] (I) make an arrest with or without a warrant for violations of the United States Code; and

[(2)] (II) carry firearms in the performance of the officer’s duties.

(4) “SENSITIVE LOCATION” HAS THE MEANING STATED IN § 6–111 OF THE STATE GOVERNMENT ARTICLE.

(b) (1) Subject to the limitations of paragraph (2) of this subsection, a [federal law enforcement] ~~JUDICIAL COVERED~~ officer may:

(i) make arrests as set forth in Subtitle 2 of this title; and

(ii) execute arrest and search and seizure warrants issued under the laws of the State.

(2) A [federal law enforcement] ~~JUDICIAL COVERED~~ officer may exercise the powers granted by this subsection when:

(i) the [federal law enforcement] ~~JUDICIAL COVERED~~ officer is participating in a joint investigation with officials from a State or local law enforcement unit;

(ii) the [federal law enforcement] ~~JUDICIAL COVERED~~ officer is rendering assistance to a police officer;

(iii) the [federal law enforcement] ~~JUDICIAL COVERED~~ officer is acting at the request of a local police officer or State Police officer; or

(iv) an emergency exists.

(c) (1) A [federal law enforcement] ~~JUDICIAL COVERED~~ officer who acts under the authority granted by this section shall notify the following persons of an investigation, an enforcement action, or a federal immigration enforcement action at a sensitive location[, as defined in § 6–111 of the State Government Article]:

(i) 1. the chief of police, if any, or chief's designee, when in a municipal corporation;

2. the police commissioner or police commissioner's designee, when in Baltimore City;

3. the chief of police or chief's designee, when in a county with a county police department, except Baltimore City;

4. the sheriff or sheriff's designee, when in a county without a county police department;

5. the Secretary of Natural Resources or Secretary's designee, when on property owned, leased, operated by, or under the control of the Department of Natural Resources; or

6. the chief of police of the Maryland Transportation Authority or chief's designee, when on property owned, leased, operated by, or under the control of the Maryland Transportation Authority, Maryland Aviation Administration, or Maryland Port Administration; and

(ii) the Department of State Police barrack commander or commander's designee, unless there is an agreement otherwise with the Department of State Police.

(2) When the federal law enforcement officer participates in a joint investigation with officials from a State or local law enforcement unit, the [federal law enforcement] ~~JUDICIAL COVERED~~ officer shall give the notice required under paragraph (1) of this subsection reasonably in advance.

(3) IF PUBLIC SCHOOL PERSONNEL, AS DEFINED IN § 7–1508.1 OF THE EDUCATION ARTICLE, IS NOTIFIED OF IMMIGRATION ENFORCEMENT, AS DEFINED IN § 6–111 OF THE STATE GOVERNMENT ARTICLE, IN A SENSITIVE

LOCATION THAT INCLUDES A SCHOOL UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE PUBLIC SCHOOL PERSONNEL SHALL NOTIFY THE COUNTY SUPERINTENDENT OF THE AFFECTED SCHOOL OR THE COUNTY SUPERINTENDENT’S DESIGNEE.

(d) A [federal law enforcement] ~~JUDICIAL COVERED~~ officer who acts under the authority granted by this section:

(1) has the same legal status as a police officer;

(2) has the same protections as a police officer under § 2–608 of the Courts Article with regard to charging documents against police officers; and

(3) has the same immunity from liability described in § 5–611 of the Courts Article.

(e) This section does not impose liability on or require indemnification by the State or a local subdivision for an act performed by a [federal law enforcement] ~~JUDICIAL COVERED~~ officer under this section.

2–104.2.

(a) In this section, “sensitive location” has the meaning stated in § 6–111 of the State Government Article.

(b) (1) This subsection does not apply to a State or local correctional facility or a detention facility in a District Court or circuit court house.

(2) A public school, a public library, or a unit of the Executive Branch of State or local government that operates at a sensitive location shall deny access to any portion of the sensitive location that **REQUIRES A SECURITY SCREENING OR** is not accessible to the general public to any individual who is seeking access for the purpose of enforcing federal immigration law, unless:

(i) the individual presents a valid warrant issued by a federal court;

or

(ii) exigent circumstances exist.

Article – Education

1–101.

(a) In this article, unless the context requires otherwise, the following words have the meanings indicated.

(e) “County superintendent” means the county superintendent of schools of a county and includes the Chief Executive Officer of the Baltimore City Board of School Commissioners.

7-1501.

(a) In this subtitle the following words have the meanings indicated.

(j) “School resource officer” means:

(1) A law enforcement officer as defined under § 1-101(c) of the Public Safety Article who has been assigned to a school in accordance with a memorandum of understanding between the chief of a law enforcement agency as defined under § 3-201(d) of the Public Safety Article and the local education agency; or

(2) A Baltimore City school police officer, as defined in § 4-318 of this article.

(k) “School security employee” means an individual, as defined in regulations adopted by the Subcabinet, who:

(1) Is not a school resource officer; and

(2) Is employed by a local school system to provide safety and security-related services at a public school.

7-1508.1.

(A) IN THIS SECTION, “PUBLIC SCHOOL ~~SECURITY~~ PERSONNEL” MEANS:

(1) A SCHOOL RESOURCE OFFICER, ~~AS DEFINED IN § 7-1501 OF THIS SUBTITLE;~~

(2) A SCHOOL SECURITY EMPLOYEE, ~~AS DEFINED IN § 7-1501 OF THIS SUBTITLE; OR~~

(3) A PRINCIPAL OR AN ASSISTANT PRINCIPAL;

(4) A TEACHER;

(5) A SCHOOL COUNSELOR;

(6) AN INDIVIDUAL EMPLOYED BY A PUBLIC SCHOOL FOR AT LEAST 7 DAYS EACH SCHOOL YEAR; OR

~~(3)~~ (7) A LAW ENFORCEMENT OFFICER WHO:

(I) IS NOT DIRECTLY ASSIGNED TO OR EMPLOYED BY A PUBLIC SCHOOL;

(II) HAS NOT COMPLETED THE CENTER'S SCHOOL RESOURCE OFFICER AND SCHOOL SECURITY EMPLOYEE TRAINING ACADEMY; AND

(III) PROVIDES ADEQUATE LAW ENFORCEMENT COVERAGE TO PUBLIC SCHOOLS IN ACCORDANCE WITH AN AGREEMENT BETWEEN THE LOCAL LAW ENFORCEMENT AGENCY AND THE LOCAL SCHOOL SYSTEM.

(B) PUBLIC SCHOOL ~~SECURITY~~ PERSONNEL MAY NOT:

(1) BE USED FOR PURPOSES OF OR OTHERWISE ENGAGE IN ~~FEDERAL IMMIGRATION INVESTIGATION OR ENFORCEMENT FUNCTIONS UNDER § 287(G) OF THE FEDERAL IMMIGRATION AND NATIONALITY ACT ENFORCEMENT, AS DEFINED IN § 6-111 OF THE STATE GOVERNMENT ARTICLE, AT THE PUBLIC SCHOOL; OR~~

(2) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, PRODUCE OR SHARE INFORMATION OR A DOCUMENT PERTAINING TO STUDENT EDUCATIONAL RECORDS OR EMPLOYEE PERSONNEL RECORDS OR ANY OTHER INFORMATION ABOUT OR FROM A STUDENT, A PUBLIC SCHOOL EMPLOYEE, OR A STUDENT'S OR A PUBLIC SCHOOL EMPLOYEE'S FAMILY OR HOUSEHOLD FOR PURPOSES OF ~~FEDERAL IMMIGRATION INVESTIGATION OR ENFORCEMENT, AS DEFINED IN § 6-111 OF THE STATE GOVERNMENT ARTICLE.~~

(C) PUBLIC SCHOOL ~~SECURITY~~ PERSONNEL SHALL IMMEDIATELY CONTACT THE COUNTY SUPERINTENDENT OR THE COUNTY SUPERINTENDENT'S DESIGNEE AND LEGAL COUNSEL FOR THE LOCAL SCHOOL SYSTEM IF PRESENTED WITH ~~A~~ VALID:

(1) ~~JUDICIAL~~ A JUDICIAL WARRANT;

(2) ~~JUDICIAL~~ A JUDICIAL SUBPOENA; OR

(3) A LEGAL ORDER FOR THE PRODUCTION OF INFORMATION OR A DOCUMENT REGARDING THE INDIVIDUALS DESCRIBED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(D) THIS SECTION SHALL BE CONSTRUED CONSISTENTLY WITH ANY APPLICABLE FEDERAL AND STATE PRIVACY LAWS.

Article – State Government6–111.

(a) (1) In this section the following words have the meanings indicated.

(2) “Collateral immigration enforcement” means federal immigration enforcement actions that affect individuals who are not the primary target of the enforcement action but are present at the location of the enforcement action.

(3) “Immigration enforcement” means federal immigration enforcement actions.

(4) “Sensitive location” means:

(i) a public school, **DESIGNATED SCHOOL BUS STOP, OR SCHOOL VEHICLE, AS DEFINED IN § 11–154 OF THE TRANSPORTATION ARTICLE;**

(ii) a public library;

(iii) a health care facility operated by a unit of State or local government;

(iv) a facility operated by the Comptroller;

(v) a courthouse; or

(vi) any other location that:

1. provides State–funded services related to:

A. physical or mental health;

B. education;

C. shelter care; [or]

D. DISTRIBUTING FOOD TO INDIVIDUALS IN NEED; OR

[D.] E. access to justice; and

2. as determined by the Attorney General, requires special consideration for immigration enforcement activities.

(b) The Attorney General shall develop and publish guidance that informs the public and relevant State agencies about:

(1) delineating between immigration enforcement within the public portions of sensitive locations and the nonpublic or private portions of sensitive locations;

(2) verifying the identity of immigration enforcement agents and validating immigration enforcement documentation seeking specific individuals;

(3) limiting liability exposure for State, local, and private institutions and the participation of the employees of those institutions in immigration enforcement at sensitive locations;

(4) facilitating relationships between federal law enforcement officers and State and local officials and law enforcement officers in order to conduct immigration enforcement activities through the least dangerous and disruptive means; and

(5) complying with existing legal obligations and limitations on State and local agencies while maintaining public safety and accessibility to those agencies.

(c) Private entities are encouraged to adopt policies consistent with the guidance developed under subsection (b) of this section if the private entities provide services related to:

(1) physical or mental health;

(2) education;

(3) shelter care; [or]

(4) **DISTRIBUTING FOOD TO INDIVIDUALS IN NEED; OR**

[(4)] (5) access to justice.

(d) (1) On or before October 1, 2025, each public school, public library, and unit of the Executive Branch of State or local government that operates at a sensitive location shall implement a policy consistent with the guidance issued by the Attorney General under this section.

(2) **ON OR BEFORE OCTOBER 1 EACH YEAR, BEGINNING IN 2026, THE ATTORNEY GENERAL SHALL UPDATE THE GUIDANCE ISSUED UNDER THIS SECTION, AS NECESSARY, AND IF THE GUIDANCE IS UPDATED EACH PUBLIC SCHOOL, PUBLIC LIBRARY, AND UNIT OF EXECUTIVE BRANCH OF STATE OR LOCAL GOVERNMENT SHALL IMPLEMENT A POLICY CONSISTENT WITH THE GUIDANCE ISSUED BY THE ATTORNEY GENERAL UNDER THIS SECTION.**

(3) (I) ON OR BEFORE OCTOBER 1, 2026, EACH COURTHOUSE SHALL IMPLEMENT A POLICY WHICH MAY CONSIDER THE GUIDANCE ISSUED BY THE ATTORNEY GENERAL UNDER THIS SECTION.

(II) ON OR BEFORE OCTOBER 1 EACH YEAR, EACH COURTHOUSE SHALL UPDATE THE POLICY IMPLEMENTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AS NECESSARY.

(e) The guidance and policies required by this section are not subject to Title 10, Subtitles 1, 2, and 3 of this article.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, April 28, 2026.