HOUSE BILL 630

E5 EMERGENCY BILL 6lr2331

By: **Delegates Schindler, Behler, Fair, A. Johnson, Martinez, Moreno, Simmons, Spiegel, Vogel, and Woorman**

Introduced and read first time: January 30, 2026
Assigned to: Judiciary

A BILL ENTITLED

AN ACT concerning

Correctional Services – Immigration Detention Facilities – Original Design and Construction

FOR the purpose of prohibiting a person from operating an immigration detention facility at a building, structure, or facility that was not originally designed and constructed for the purpose of housing or detaining individuals; and generally relating to immigration detention.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 1–101(a), (j), and (n)
Annotated Code of Maryland
(2025 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 1–102
Annotated Code of Maryland
(2025 Replacement Volume)

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

Article – Correctional Services

1–101.

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

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

(j) "Immigration detention facility" means any building, facility, or structure used, in whole or in part, to house or detain individuals for federal civil immigration violations.

(n) "Person" means an individual, receiver, trustee, guardian, personal representative, fiduciary, representative of any kind, partnership, firm, association, corporation, or other entity.

1–102.

(a) The State, a unit of local government, a county sheriff, or an agency, officer, employee, or agent of the State or a unit of local government may not:

(1) enter into an agreement of any kind for the detention of individuals in an immigration detention facility owned, managed, or operated, in whole or in part, by a private entity;

(2) pay, reimburse, subsidize, or defray in any way any costs related to the sale, purchase, construction, development, ownership, management, or operation of an immigration detention facility that is or will be owned, managed, or operated, in whole or in part, by a private entity;

(3) receive any payment related to the detention of individuals in an immigration detention facility owned, managed, or operated, in whole or in part, by a private entity; or

(4) otherwise give any financial incentive or benefit to any private entity or person in connection with the sale, purchase, construction, development, ownership, management, or operation of an immigration detention facility that is or will be owned, managed, or operated, in whole or in part, by a private entity.

(b) The State, a unit of local government, a county sheriff, or an agency, officer, employee, or agent of the State or a unit of local government may not approve a zoning variance or issue a permit for the construction of a building or the reuse of existing buildings or structures by any private entity for use as an immigration detention facility unless the governmental entity:

(1) provides notice to the public of the proposed zoning variance or permit action at least 180 days before authorizing the variance or issuing the permit; and

(2) solicits and hears public comments on the proposed zoning variance or permit action in at least two separate meetings open to the public.

(c) (1) The State, a unit of local government, a county sheriff, or an agency, officer, employee, or agent of the State or a unit of local government may not enter into or renew an immigration detention agreement.

(2) The State, a unit of local government, a county sheriff, or an agency, officer, employee, or agent of the State or a unit of local government with an existing immigration detention agreement shall exercise the termination provision contained in the immigration detention agreement not later than October 1, 2022.

(D) A PERSON MAY NOT OPERATE AN IMMIGRATION DETENTION FACILITY AT A BUILDING, STRUCTURE, OR FACILITY THAT WAS NOT ORIGINALLY DESIGNED AND CONSTRUCTED FOR THE PURPOSE OF HOUSING OR DETAINING INDIVIDUALS.

[(d)**] (E)** In any dispute over an immigration detention agreement with the State, the provisions of this section govern.

[(e)**] (F)** Nothing in this section may be construed to authorize or prohibit the State, a unit of local government, a county sheriff, or an agency, officer, employee, or agent of the State or a unit of local government from entering into an agreement under 8 U.S.C. § 1357(g).

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.