

HOUSE BILL 719

E4, P3, L6

6lr1243

By: **Delegates Arian, Baker, Chisholm, Fisher, Grammer, Hinebaugh, Kipke, M. Morgan, Nawrocki, Reilly, Szeliga, Valentine, and Wivell**

Introduced and read first time: February 2, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Immigration Enforcement – Prohibition Against Sanctuary**
3 **Policies**

4 FOR the purpose of prohibiting the State, a unit of local government, a county sheriff, or
5 an agency, officer, employee, or agent of the State or a unit of local government from
6 adopting or having in effect a certain sanctuary policy; repealing certain provisions
7 of law that are inconsistent with this Act; and generally relating to immigration
8 enforcement.

9 BY repealing

10 Article – Criminal Procedure
11 Section 2–104.2 and 5–104
12 Annotated Code of Maryland
13 (2025 Replacement Volume)

14 BY repealing

15 Article – General Provisions
16 Section 4–320.1
17 Annotated Code of Maryland
18 (2019 Replacement Volume and 2025 Supplement)

19 BY adding to

20 Article – Public Safety
21 Section 1–701 and 1–702 to be under the new subtitle “Subtitle 7. Immigration
22 Enforcement”
23 Annotated Code of Maryland
24 (2022 Replacement Volume and 2025 Supplement)

25 BY repealing

26 Article – Public Safety

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 3-529
2 Annotated Code of Maryland
3 (2022 Replacement Volume and 2025 Supplement)

4 **SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,**

5 That the Laws of Maryland read as follows:

6 **Article – Criminal Procedure**

7 [2-104.2.

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

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

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

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

18 (ii) exigent circumstances exist.]

19 [5-104.

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

21 (2) “Civil immigration violation” means a violation of federal civil
22 immigration law.

23 (3) “Family member” means a relative by blood, adoption, or marriage.

24 (4) “Household member” means a person who lives with another or is a
25 regular presence in the home of another.

26 (5) (i) “Law enforcement agent” means an individual who is certified by
27 the Maryland Police Training and Standards Commission under § 3-209 of the Public
28 Safety Article.

29 (ii) “Law enforcement agent” does not include an agent or employee
30 of a State correctional facility or a local correctional facility.

(6) "Local correctional facility" has the meaning stated in § 1-101 of the Correctional Services Article.

(7) "State correctional facility" has the meaning stated in § 1-101 of the Correctional Services Article.

5 (b) (1) In this subsection, "arrest" does not include a routine booking
6 procedure.

(2) Except as provided in paragraphs (3) and (4) of this subsection, a law enforcement agent may not, during the performance of regular police functions:

(i) inquire about an individual's citizenship, immigration status, or place of birth during a stop, a search, or an arrest;

11 (ii) detain, or prolong the detention of, an individual:

14 2. based on the suspicion that the individual has committed
15 a civil immigration violation;

16 (iii) transfer an individual to federal immigration authorities unless
17 required by federal law; or

18 (iv) coerce, intimidate, or threaten any individual based on the actual
19 or perceived citizenship or immigration status of the individual or:

20 1. the individual's family member;

21 2. the individual's household member;

25 (3) Nothing in this subsection shall prevent a law enforcement agent from
26 inquiring about any information that is material to a criminal investigation.

30 (i) notify the individual of the protection or requirement; and

Article – General Provisions

5 [4-320.1.

6 (a) In this section, "facial recognition" means a biometric software application
7 that identifies or verifies a person by comparing and analyzing patterns based on a person's
8 facial contours.

29 (i) the number of requests received from any federal agency for
30 personal information, a photograph of an individual, or a facial recognition search;

31 (ii) the number of requests received from any federal agency for
32 personal information, a photograph of an individual, or a facial recognition search for which
33 a valid warrant issued by a federal court or a court of this State was provided;

1 (iv) the number of individuals whose personal information or
2 photograph was provided to any federal agency by, respectively, the Motor Vehicle
3 Administration, the Department of State Police, and the Department of Public Safety and
4 Correctional Services.]

Article – Public Safety

SUBTITLE 7. IMMIGRATION ENFORCEMENT.

7 1-701.

8 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
9 INDICATED.

10 (B) "IMMIGRATION DETAINER" MEANS A FACIALLY SUFFICIENT WRITTEN
11 OR ELECTRONIC REQUEST ISSUED BY A FEDERAL IMMIGRATION AGENCY USING
12 THAT AGENCY'S OFFICIAL FORM TO REQUEST THAT ANOTHER AGENCY DETAIN AN
13 INDIVIDUAL BASED ON PROBABLE CAUSE TO BELIEVE THAT THE INDIVIDUAL TO BE
14 DETAINED IS A REMOVABLE ALIEN UNDER FEDERAL IMMIGRATION LAW.

15 (C) "SANCTUARY POLICY" MEANS A LAW, POLICY, PRACTICE, PROCEDURE,
16 OR CUSTOM ADOPTED OR ALLOWED BY A STATE OR LOCAL GOVERNMENTAL ENTITY
17 THAT PROHIBITS OR IMPEDES ANY STATE OR LOCAL GOVERNMENTAL ENTITY FROM:

18 (1) COMMUNICATING WITH A FEDERAL IMMIGRATION AGENCY:

19 (2) COOPERATING WITH A FEDERAL IMMIGRATION AGENCY:

(3) COMPLYING WITH AN IMMIGRATION DETAINER:

21 (4) COMPLYING WITH A REQUEST FROM A FEDERAL IMMIGRATION
22 AGENCY TO NOTIFY THE FEDERAL IMMIGRATION AGENCY BEFORE THE RELEASE OF
23 AN INDIVIDUAL IN THE CUSTODY OF THE STATE OR LOCAL GOVERNMENTAL ENTITY;

4 (9) EXECUTING A VALID JUDICIAL WARRANT; OR

8 1-702.

9 THE STATE, A UNIT OF LOCAL GOVERNMENT, A COUNTY SHERIFF, OR AN
10 AGENCY, AN OFFICER, AN EMPLOYEE, OR AN AGENT OF THE STATE OR A UNIT OF
11 LOCAL GOVERNMENT MAY NOT ADOPT OR HAVE IN EFFECT A SANCTUARY POLICY.

12 [3-529.]

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

(ii) "Database" does not include a registry operated under Title 11, Subtitle 7 of the Criminal Procedure Article.

21 (ii) "Law enforcement agency" includes the Maryland Department of
22 Public Safety and Correctional Services.

23 (b) An entity operating a database shall:

24 (1) deny access to the database to any individual who is seeking access for
25 the purpose of enforcing federal immigration law, unless the individual presents a valid
26 warrant issued by a federal court or a court of this State; and

27 (2) require an individual accessing the database to provide to the entity:

28 (i) the individual's name;

29 (ii) the individual's contact information, including a telephone
30 number, an e-mail address, and a physical address; and

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2026.