

SENATE BILL 245

E4

EMERGENCY BILL

6lr1714

CF HB 444

By: **Senators Smith, Ferguson, and Lewis Young**

Introduced and read first time: January 15, 2026

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: January 29, 2026

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Immigration Enforcement Agreements – Prohibition**

3 FOR the purpose of prohibiting the State, a unit of local government, a county sheriff, or
4 any agency, officer, employee, or agent of the State or a unit of local government from
5 entering into a certain immigration enforcement agreement; requiring the
6 termination of an existing immigration enforcement agreement on or before a certain
7 date; and generally relating to immigration enforcement.

8 BY adding to

9 Article – Criminal Procedure

10 Section 5–104.1

11 Annotated Code of Maryland
12 (2025 Replacement Volume)

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

15 **Article – Criminal Procedure**

16 **5–104.1.**

17 (A) (1) IN THIS SECTION, “IMMIGRATION ENFORCEMENT AGREEMENT”
18 MEANS A CONTRACT, AN AGREEMENT, AN INTERGOVERNMENTAL SERVICE
19 AGREEMENT, OR A MEMORANDUM OF UNDERSTANDING WITH THE FEDERAL
20 GOVERNMENT THAT AUTHORIZES THE STATE, A UNIT OF LOCAL GOVERNMENT, A

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 COUNTY SHERIFF, OR ANY AGENCY, OFFICER, EMPLOYEE, OR AGENT OF THE STATE
2 OR A UNIT OF LOCAL GOVERNMENT TO ENFORCE CIVIL IMMIGRATION LAW.

3 (2) "IMMIGRATION ENFORCEMENT AGREEMENT" INCLUDES AN
4 AGREEMENT MADE IN ACCORDANCE WITH:

5 (I) 8 U.S.C. § 1103;
6 (II) 8 U.S.C. § 1357; OR
7 (III) ANY OTHER FEDERAL LAW.

8 (B) THE STATE, A UNIT OF LOCAL GOVERNMENT, A COUNTY SHERIFF, OR
9 ANY AGENCY, OFFICER, EMPLOYEE, OR AGENT OF THE STATE OR A UNIT OF LOCAL
10 GOVERNMENT MAY NOT ENTER INTO AN IMMIGRATION ENFORCEMENT AGREEMENT.

11 (C) ~~THE STATE, A UNIT OF LOCAL GOVERNMENT, A COUNTY SHERIFF, OR
12 ANY AGENCY, OFFICER, EMPLOYEE, OR AGENT OF THE STATE OR A UNIT OF LOCAL
13 GOVERNMENT WITH AN EXISTING IMMIGRATION ENFORCEMENT AGREEMENT SHALL
14 EXERCISE THE TERMINATION PROVISION CONTAINED IN THE IMMIGRATION
15 ENFORCEMENT AGREEMENT NOT LATER THAN JULY 1, 2026.~~

16 ~~SECTION 2. AND BE IT FURTHER ENACTED~~, That this Act shall take effect June
17 ~~1, 2026~~.

18 SECTION 2. AND BE IT FURTHER ENACTED, That the State, a unit of local
19 government, a county sheriff, or any agency, officer, employee, or agent of the State or a
20 unit of local government with an existing immigration enforcement agreement shall
21 exercise the termination provision contained in the immigration enforcement agreement
22 immediately on the taking effect of this Act.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
24 measure, is necessary for the immediate preservation of the public health or safety, has
25 been passed by a yea and nay vote supported by three-fifths of all the members elected to
26 each of the two Houses of the General Assembly, and shall take effect from the date it is
27 enacted.