

Department of Legislative Services  
Maryland General Assembly  
2026 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 675  
Judiciary

(Delegate Arikan, *et al.*)

---

Public Safety - Immigration Enforcement - Immigration Enforcement  
Agreements

---

This bill requires, by January 1, 2027, each local law enforcement agency that operates a correctional facility to enter into an “immigration enforcement agreement.” A local law enforcement agency may apply for a one-time waiver from the Governor’s Office of Crime Prevention and Policy (GOCPP) to delay the date by which the agency must enter into an immigration enforcement agreement. GOCPP may grant the one-time waiver; however, a local law enforcement agency that obtains the waiver must enter into an immigration enforcement agreement by July 1, 2027. Beginning July 1, 2027, a local law enforcement agency that has not entered into an immigration enforcement agreement, as required, must, if requested by federal immigration authorities (1) detain an individual for up to 48 hours in order to facilitate the transfer of the individual to federal immigration authorities and (2) transfer an individual to federal immigration authorities. A local law enforcement agency required to enter into an agreement must be responsible for any housing costs associated with detaining an individual and any court costs associated with any criminal proceeding involving the individual if (1) the agency has not entered into an immigration enforcement agreement; (2) the agency receives a request from federal immigration authorities to detain and transfer an individual; (3) the agency releases the individual, in violation of the bill’s requirements; and (4) within five years of the release, the individual is detained or arrested by another law enforcement agency of the State, another state, or the federal government.

---

**Fiscal Summary**

**State Effect:** State finances are not anticipated to be materially affected.

**Local Effect:** Local government finances are not anticipated to be materially affected, as discussed below.

**Small Business Effect:** None.

---

## **Analysis**

**Bill Summary:** “Immigration enforcement agreement” means an agreement or a memorandum of understanding (MOU) with the federal government made in accordance with 8 U.S.C. § 1357 that authorizes a local law enforcement agency in the state to enforce civil immigration law using the jail enforcement model.

**Current Law:** Section 287(g) of the Immigration and Nationality Act (codified as 8 U.S.C. § 1357(g)) authorizes the Attorney General of the United States to enter into agreements, commonly referred to as “287(g) agreements,” with state and local governments authorizing state or local personnel “to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States.” A 287(g) agreement is not required for a local jurisdiction to cooperate with federal immigration authorities; however, federal law does require that each agreement provide that participating personnel have adequate training regarding immigration law.

Chapters 1 and 2 of 2026 prohibit the State, a unit of local government, a county sheriff, or any agency, officer, employee, or agent of the State or a unit of local government from entering into an “immigration enforcement agreement.” “Immigration enforcement agreement” means a contract, an agreement, an intergovernmental service agreement, or a MOU with the federal government that authorizes the State, a unit of local government, a county sheriff, or any agency, officer, employee, or agent of the State or a unit of local government to enforce civil immigration law. “Immigration enforcement agreement” includes an agreement made in accordance with (1) 8 U.S.C. § 1103; (2) 8 U.S.C. § 1357; or (3) any other federal law.

**State Fiscal Effect:** GOCPP advises the need for one permanent grant specialist to handle requests for waivers under the bill. This would result in a general fund expenditure increase of \$74,424 in fiscal 2027 and ongoing personnel and operating expenses in future years. However, the Department of Legislative Services disagrees and advises that the bill’s requirements for GOCPP are limited in scope and duration as the bill applies only to the 23 local law enforcement agencies that operate a correctional facility and such agencies are only allowed to request a one-time waiver from GOCPP. Accordingly, any additional workload can likely be handled within existing budgeted resources. To the extent GOCPP is unable to handle the additional workload with existing staff, additional staff may be requested through the annual budget process.

**Local Fiscal Effect:** It is unclear how the bill operates in connection with existing statute. The bill conflicts with provisions of existing statute but does not repeal or amend current

statutory provisions and is drafted as an independent section, without cross reference to any existing statute. Under the “later in time” rule of statutory interpretation, if two laws conflict, the most recent law prevails.

The bill requires each local law enforcement agency that operates a correctional facility, by January 1, 2027, to enter into an immigration enforcement agreement. As noted above, Chapters 1 and 2 of 2026 prohibit the State, a unit of local government, a county sheriff, or any agency, officer, employee, or agent of the State or a unit of local government from entering into an “immigration enforcement agreement.” Although “immigration enforcement agreement” is defined differently, the overall intent and effect appears to be the same. Therefore, this analysis assumes that each local law enforcement agency that operates a correctional facility enters into an immigration enforcement agreement by January 1, 2027, or files for a one-time waiver and enters into an immigration enforcement agreement by July 1, 2027.

Accordingly, local government finances may increase to the extent that additional training or resources are necessary to meet the terms of the immigration enforcement agreement entered into by each local law enforcement agency. The Maryland Association of Counties advises that, as a result of the bill, local governments likely need legal resources to develop an agreement, training resources for officers working within the agreement, and the designation of space within existing facilities for federal agents. However, this analysis assumes that any specific impact depends on the nature and requirements of the immigration enforcement agreement entered into by a local law enforcement agency as a result of the bill.

---

### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel, Baltimore, Charles, Garrett, and Howard counties; Maryland Association of Counties; Governor’s Office of Crime Prevention and Policy; Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Department of Legislative Services

**Fiscal Note History:** First Reader - March 3, 2026  
jg/hlb

---

Analysis by: Shirleen M. E. Pilgrim

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510