

February 27, 2025

House Bill 1431

**State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on
Access to Information (Maryland Data Privacy Act)**

House Judiciary Committee

Position: FAVORABLE

Anne Arundel County **SUPPORTS** House Bill 1431 – State and Local Agencies – Enforcement of Federal Immigration Law – Restrictions on Access to Information (Maryland Data Privacy Act). This Bill requires State or local law enforcement agencies to deny individuals access to databases, including those operated by private vendors, for the purpose of enforcing federal immigration law without a valid court-issued warrant.

All Marylanders are entitled to their constitutional right to privacy, regardless of their immigration status. When the federal government demands local law enforcement agencies to share access to their databases for immigration enforcement purposes, it exposes them to the liability of violating the Constitution and the core tenet of federalism. The Tenth Amendment reserves the powers not delegated to the federal government by the Constitution back to the States. The anticommandeering doctrine upheld by the Supreme Court in *Printz v. United States* protects the States from being compelled to enforce federal regulatory programs. Furthermore, the Fourth Amendment right protects individuals from unreasonable searches without probable cause, which includes their personal data and information.

State and local governments have a duty to protect and help their people, especially those of the most vulnerable populations. The government bears the responsibility of making its services available and accessible, and the people should feel safe and encouraged to reach out to their government for help. This relationship is built on a sacred trust, and that trust will be severely broken if local governments share their databases of personal information with others without a valid court-issued warrant present.

There will be many instances in which State and local law enforcement agencies will be coerced to share access to databases to enforce federal regulations. However, we cannot be complicit in the federal government's encroachment on individual constitutional rights. By expanding upon the Maryland Driver Privacy Act to personal data not just limited to driver's license information, this Bill provides a clear legal basis for Maryland State and local agencies when denying federal access to data without warrant and explicitly prohibits anyone from doing so. Accordingly, Anne Arundel County urges a **FAVORABLE** report on House Bill 1431.