



BRANDON M. SCOTT
MAYOR

Office of Government Relations
88 State Circle
Annapolis, Maryland 21401

HB 1431

February 12, 2025

TO: Members of the Judiciary (H) Committee
FROM: Nina Themelis, Director of the Mayor's Office of Government Relations
RE: House Bill 1431 State and Local Agencies - Enforcement of Federal Immigration Law -
Restrictions on Access to Information (Maryland Data Privacy Act)

POSITION: SUPPORT WITH AMENDMENTS

Chair Judiciary (H), Vice Chair Judiciary (H), and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **support with amendments** House Bill (HB) 1431.

HB 1431 introduces significant updates to existing law by expanding restrictions on data access beyond law enforcement agencies to include all state and local government units. Under previous law, these restrictions applied to law enforcement databases; however, HB 1431 now extends these limitations to all governmental units managing personal data.

Current law requires that access be denied to individuals who are seeking access for the purpose of enforcing federal immigration law and who do not provide a valid warrant. The bill now updates the law to require state and local government units, like the City of Baltimore, to actively prevent the release of personal information to any individual seeking or appearing to be seeking it for immigration enforcement purposes, even if they do not explicitly state their intent.

Furthermore, the bill adds a new provision establishing penalties for employees who violate these restrictions, including potential termination for unauthorized disclosures. These changes aim to enhance privacy protections and prevent unauthorized use of state and local government records for immigration enforcement while imposing stricter enforcement mechanisms.

However, while the Department of Human Resources (“DHR”) supports the bill’s intent, several provisions present operational and financial challenges that require legislative amendments to ensure successful implementation.

HB 1431 is a progressive step toward protecting personal data and limiting federal overreach in immigration enforcement. However, for employers like Baltimore City, the bill’s provisions create operational, financial, and legal challenges that require critical amendments:

- Establish a state funding mechanism to assist local agencies with IT upgrades, compliance measures, and reporting.
- Provide an implementation grace period to ensure agencies have sufficient time to comply without immediate penalties.

With these amendments, HB 1431 can achieve its intended privacy protections while ensuring that Baltimore City DHR and other local agencies can effectively comply without financial or operational strain.

The BCA respectfully requests a **support with amendments** report on HB 1431 for these reasons.