

SB0828/153324/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 828
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in line 2, strike “**Guidelines**” and substitute “**Access, Guidance,**”; in line 4, after “of” insert “prohibiting certain schools, libraries, and units of State government that operate at certain sensitive locations from allowing certain federal personnel to access certain areas, subject to certain exceptions;”; in the same line, strike “guidelines relating to” and substitute “guidance regarding”; in line 5, after “locations;” insert “requiring the Attorney General to develop guidance regarding individuals interacting with certain federal personnel;”; in the same line, strike “State agencies” and substitute “certain schools, libraries, and units of State government”; strike beginning with “that” in line 5 down through “policies;” in line 7 and substitute “to adopt policies consistent with certain guidance;”; and after line 8, insert:

“BY adding to

Article - Criminal Procedure

Section 2-104.2

Annotated Code of Maryland

(2018 Replacement Volume and 2024 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“Article – Criminal Procedure

2–104.2.

(A) IN THIS SECTION, “SENSITIVE LOCATION” HAS THE MEANING STATED IN § 6–111 OF THE STATE GOVERNMENT ARTICLE.

(B) (1) THIS SUBSECTION DOES NOT APPLY TO A STATE OR LOCAL CORRECTIONAL FACILITY.

(2) A PUBLIC SCHOOL, A PUBLIC LIBRARY, OR A UNIT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT OPERATES AT A SENSITIVE LOCATION SHALL DENY ACCESS TO ANY PORTION OF THE SENSITIVE LOCATION THAT IS NOT ACCESSIBLE TO THE GENERAL PUBLIC TO ANY INDIVIDUAL WHO IS SEEKING ACCESS FOR THE PURPOSE OF ENFORCING FEDERAL IMMIGRATION LAW, UNLESS:

(I) THE INDIVIDUAL PRESENTS A VALID WARRANT ISSUED BY A FEDERAL COURT OR A COURT OF THE STATE; OR

(II) EXIGENT CIRCUMSTANCES EXIST.”.

On pages 1 through 3, strike in their entirety the lines beginning with line 18 on page 1 down through line 11 on page 3 and substitute:

“(A) IN THIS SECTION, “SENSITIVE LOCATION” MEANS:

(1) A PUBLIC SCHOOL;

(2) A PUBLIC LIBRARY;

(3) A HEALTH CARE FACILITY OPERATED BY A UNIT OF STATE GOVERNMENT;

(4) A FACILITY OPERATED BY THE COMPTROLLER;

(5) A COURTHOUSE; OR

(6) ANY OTHER LOCATION THAT:

(I) PROVIDES STATE-FUNDED SERVICES RELATED TO:

1. PHYSICAL OR MENTAL HEALTH;

2. EDUCATION; OR

3. SHELTER CARE; AND

(II) AS DETERMINED BY THE ATTORNEY GENERAL, REQUIRES SPECIAL CONSIDERATION FOR IMMIGRATION ENFORCEMENT ACTIVITIES.

(B) (1) THE ATTORNEY GENERAL SHALL DEVELOP AND PUBLISH GUIDANCE REGARDING IMMIGRATION ENFORCEMENT AT SENSITIVE LOCATIONS THAT INFORMS THE PUBLIC AND RELEVANT STATE AGENCIES ABOUT:

(I) THE LIMITATIONS ON FEDERAL IMMIGRATION ENFORCEMENT ACTIVITIES AT SENSITIVE LOCATIONS; AND

(II) THE RESPONSIBILITIES AND RESTRICTIONS ON STATE AGENCIES THAT AFFECT THE AGENCIES' ABILITY TO ENSURE COMPLIANCE WITH FEDERAL AND STATE LAW WHILE MAINTAINING PUBLIC SAFETY AND ACCESSIBILITY.

(Over)

(C) THE ATTORNEY GENERAL SHALL DEVELOP AND PUBLISH GUIDANCE REGARDING THE RIGHTS AND RESPONSIBILITIES OF INDIVIDUALS WHO INTERACT WITH FEDERAL LAW ENFORCEMENT PERSONNEL ACTING TO ENFORCE FEDERAL IMMIGRATION LAW.

(D) ON OR BEFORE OCTOBER 1, 2025, EACH PUBLIC SCHOOL, PUBLIC LIBRARY, AND UNIT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT OPERATES AT A SENSITIVE LOCATION SHALL IMPLEMENT A POLICY CONSISTENT WITH THE GUIDANCE ISSUED BY THE ATTORNEY GENERAL UNDER THIS SECTION.

(E) THE GUIDANCE AND POLICIES REQUIRED BY THIS SECTION ARE NOT SUBJECT TO TITLE 10, SUBTITLES 1, 2, AND 3 OF THE STATE GOVERNMENT ARTICLE.”.

AMENDMENT NO. 3

On page 3, strike beginning with “is” in line 12 down through “enacted” in line 16 and substitute “shall take effect June 1, 2025”.