

HOUSE BILL 885

E4, L6

8lr2170

By: **Delegates McDonough, Boteler, Impallaria, Kach, Kipke, McComas,
Norman, and Shank**

Introduced and read first time: February 6, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Counties and Municipal Corporations – Illegal Alien “Sanctuary Laws” –**
3 **Prohibition**

4 FOR the purpose of requiring local governments to comply fully with and support
5 federal immigration law; prohibiting local governments from restricting their
6 officials, personnel, or agents from requesting, obtaining, sending, receiving,
7 exchanging, or maintaining certain immigration information; requiring local
8 governments to implement certain requirements and obligations in a certain
9 manner; providing for the construction of this Act; defining a certain term; and
10 generally relating to support of federal immigration law by local governments.

11 BY adding to
12 Article – Public Safety
13 Section 3–507
14 Annotated Code of Maryland
15 (2003 Volume and 2007 Supplement)

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

18 **Article – Public Safety**

19 **3–507.**

20 (A) IN THIS SECTION, “LOCAL GOVERNMENT” MEANS A COUNTY OR
21 MUNICIPAL CORPORATION.

22 (B) ALL OFFICIALS, PERSONNEL, AND AGENTS OF A LOCAL
23 GOVERNMENT SHALL COMPLY FULLY WITH AND SUPPORT THE ENFORCEMENT
24 OF FEDERAL LAW PROHIBITING THE ENTRY INTO OR PRESENCE OR RESIDENCE

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 IN THE UNITED STATES OF ILLEGAL ALIENS IN VIOLATION OF FEDERAL
2 IMMIGRATION LAW.

3 (C) A LOCAL GOVERNMENT MAY NOT RESTRICT ITS OFFICIALS,
4 PERSONNEL, OR AGENTS FROM REQUESTING, OBTAINING, SENDING, RECEIVING,
5 EXCHANGING, OR MAINTAINING INFORMATION REGARDING THE IMMIGRATION
6 STATUS OF AN INDIVIDUAL.

7 (D) A LOCAL GOVERNMENT SHALL IMPLEMENT THE REQUIREMENTS
8 AND OBLIGATIONS OF THIS SECTION IN A MANNER THAT:

9 (1) IS FULLY CONSISTENT WITH FEDERAL LAW REGULATING
10 IMMIGRATION; AND

11 (2) PROTECTS THE CIVIL RIGHTS OF ALL U.S. CITIZENS AND
12 ALIENS.

13 (E) A LOCAL GOVERNMENT MAY NOT CONSTRUE THIS SECTION TO
14 PROHIBIT ITS OFFICIALS, PERSONNEL, OR AGENTS FROM:

15 (1) RENDERING EMERGENCY MEDICAL CARE OR ANY OTHER
16 PUBLIC BENEFIT MANDATED BY FEDERAL OR STATE LAW; OR

17 (2) REPORTING CRIMINAL ACTIVITY TO A LAW ENFORCEMENT
18 AGENCY.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2008.