

Chapter 1

**(Senate Bill 245)**

AN ACT concerning

**Public Safety – Immigration Enforcement Agreements – Prohibition**

FOR the purpose of prohibiting 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 a certain immigration enforcement agreement; requiring the termination of an existing immigration enforcement agreement on or before a certain date; and generally relating to immigration enforcement.

BY adding to

Article – Criminal Procedure  
Section 5–104.1  
Annotated Code of Maryland  
(2025 Replacement Volume)

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

**Article – Criminal Procedure**

**5–104.1.**

**(A) (1) IN THIS SECTION, “IMMIGRATION ENFORCEMENT AGREEMENT” MEANS A CONTRACT, AN AGREEMENT, AN INTERGOVERNMENTAL SERVICE AGREEMENT, OR A MEMORANDUM OF UNDERSTANDING 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.**

**(2) “IMMIGRATION ENFORCEMENT AGREEMENT” INCLUDES AN AGREEMENT MADE IN ACCORDANCE WITH:**

- (I) 8 U.S.C. § 1103;**
- (II) 8 U.S.C. § 1357; OR**
- (III) ANY OTHER FEDERAL LAW.**

**(B) 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 MAY NOT ENTER INTO AN IMMIGRATION ENFORCEMENT AGREEMENT.**

~~**(C) 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 WITH AN EXISTING IMMIGRATION ENFORCEMENT AGREEMENT SHALL EXERCISE THE TERMINATION PROVISION CONTAINED IN THE IMMIGRATION ENFORCEMENT AGREEMENT NOT LATER THAN JULY 1, 2026.**~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2026.~~

SECTION 2. AND BE IT FURTHER ENACTED, That 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 with an existing immigration enforcement agreement shall exercise the termination provision contained in the immigration enforcement agreement immediately on the taking effect of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

**Approved by the Governor, February 17, 2026.**