

SB0810/283621/1

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO SENATE BILL 810
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in the sponsor line, strike “**Senator King**” and substitute “**Senators King, Brooks, Harris, Kagan, and M. Washington**”; strike in their entirety lines 2 and 3 and substitute:

“Immigration Enforcement – Expanding Sensitive Locations, Notification, and Guidance
(Maryland Values Act of 2026)”;

in line 4, after “of” insert “requiring certain public school personnel to notify a county superintendent or a county superintendent’s designee if the individual receives certain notification of certain immigration enforcement at a school;”; in lines 4 and 6, in each instance, strike “security”; in lines 5 and 7, in each instance, strike “federal”; in the same lines, in each instance, strike “investigation and”; in line 5, strike “functions”; in line 8, after “circumstances,” insert “expanding the definition of sensitive locations relating to the definition of a “public school”; expanding the definition of sensitive locations to include certain locations that distribute food to individuals in need; requiring the Attorney General to update certain guidance on or before a certain date each year and certain public schools, public libraries, and units of the Executive Branch of State and local government to update certain policies;”; in line 9, strike “investigation and enforcement in public schools” and substitute “enforcement”; after line 9, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 2–104 and 2–104.2

Annotated Code of Maryland

(2025 Replacement Volume)”;

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in line 12, after “Section” insert “1–101(a) and (e) and”; and after line 19, insert:

“BY repealing and reenacting, with amendments,
Article – State Government
Section 6–111
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“Article – Criminal Procedure

2–104.

(a) **(1)** In this section[, “federal law enforcement] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) “COUNTY SUPERINTENDENT” HAS THE MEANING STATED IN § 1–101 OF THE EDUCATION ARTICLE.

(3) “JUDICIAL officer” means an officer who may:

[(1)] **(I)** make an arrest with or without a warrant for violations of the United States Code; and

[(2)] **(II)** carry firearms in the performance of the officer’s duties.

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

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(b) (1) Subject to the limitations of paragraph (2) of this subsection, a [federal law enforcement] JUDICIAL officer may:

- (i) make arrests as set forth in Subtitle 2 of this title; and
- (ii) execute arrest and search and seizure warrants issued under the laws of the State.

(2) A [federal law enforcement] JUDICIAL officer may exercise the powers granted by this subsection when:

- (i) the [federal law enforcement] JUDICIAL officer is participating in a joint investigation with officials from a State or local law enforcement unit;
- (ii) the [federal law enforcement] JUDICIAL officer is rendering assistance to a police officer;
- (iii) the [federal law enforcement] JUDICIAL officer is acting at the request of a local police officer or State Police officer; or
- (iv) an emergency exists.

(c) (1) A [federal law enforcement] JUDICIAL officer who acts under the authority granted by this section shall notify the following persons of an investigation, an enforcement action, or a federal immigration enforcement action at a sensitive location[, as defined in § 6–111 of the State Government Article]:

- (i) 1. the chief of police, if any, or chief's designee, when in a municipal corporation;

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2. the police commissioner or police commissioner's designee, when in Baltimore City;

3. the chief of police or chief's designee, when in a county with a county police department, except Baltimore City;

4. the sheriff or sheriff's designee, when in a county without a county police department;

5. the Secretary of Natural Resources or Secretary's designee, when on property owned, leased, operated by, or under the control of the Department of Natural Resources; or

6. the chief of police of the Maryland Transportation Authority or chief's designee, when on property owned, leased, operated by, or under the control of the Maryland Transportation Authority, Maryland Aviation Administration, or Maryland Port Administration; and

(ii) the Department of State Police barrack commander or commander's designee, unless there is an agreement otherwise with the Department of State Police.

(2) When the federal law enforcement officer participates in a joint investigation with officials from a State or local law enforcement unit, the [federal law enforcement] JUDICIAL officer shall give the notice required under paragraph (1) of this subsection reasonably in advance.

(3) IF PUBLIC SCHOOL PERSONNEL, AS DEFINED IN § 7-1508.1 OF THE EDUCATION ARTICLE, IS NOTIFIED OF IMMIGRATION ENFORCEMENT, AS DEFINED IN § 6-111 OF THE STATE GOVERNMENT ARTICLE, IN A SENSITIVE

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LOCATION THAT INCLUDES A SCHOOL UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE PUBLIC SCHOOL PERSONNEL SHALL NOTIFY THE COUNTY SUPERINTENDENT OF THE AFFECTED SCHOOL OR THE COUNTY SUPERINTENDENT'S DESIGNEE.

(d) A [federal law enforcement] JUDICIAL officer who acts under the authority granted by this section:

(1) has the same legal status as a police officer;

(2) has the same protections as a police officer under § 2-608 of the Courts Article with regard to charging documents against police officers; and

(3) has the same immunity from liability described in § 5-611 of the Courts Article.

(e) This section does not impose liability on or require indemnification by the State or a local subdivision for an act performed by a [federal law enforcement] JUDICIAL officer under this section.

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 or a detention facility in a District Court or circuit court house.

(2) A public school, a public library, or a unit of the Executive Branch of State or local government that operates at a sensitive location shall deny access to any portion of the sensitive location that **REQUIRES A SECURITY SCREENING OR** is not

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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

(ii) exigent circumstances exist.”.

AMENDMENT NO. 3

On page 1, after line 22, insert:

“1–101.

(a) In this article, unless the context requires otherwise, the following words have the meanings indicated.

(e) “County superintendent” means the county superintendent of schools of a county and includes the Chief Executive Officer of the Baltimore City Board of School Commissioners.”.

AMENDMENT NO. 4

On page 2 in lines 14 and 27, and on page 3 in line 7, in each instance, strike “SECURITY”.

On page 2, strike beginning with the comma in line 15 down through “SUBTITLE” in line 16; strike beginning with the comma in line 17 down through “SUBTITLE” in line 18; in line 18, strike “OR”; after line 18, insert:

“(3) A PRINCIPAL OR AN ASSISTANT PRINCIPAL;

(4) A TEACHER;

(5) A SCHOOL COUNSELOR;

(6) AN INDIVIDUAL EMPLOYED BY A PUBLIC SCHOOL FOR AT LEAST 7 DAYS EACH SCHOOL YEAR; OR;

in line 19, strike “(3)” and substitute “(7)”; and strike beginning with “INVESTIGATION” in line 29 down through “ACT” in line 30 and substitute “ENFORCEMENT, AS DEFINED IN § 6-111 OF THE STATE GOVERNMENT ARTICLE,”.

On page 2 in line 28, and on page 3 in line 6, in each instance, strike “FEDERAL”.

On page 3, in line 6, strike “INVESTIGATION OR”; in the same line, after “ENFORCEMENT” insert “, AS DEFINED IN § 6-111 OF THE STATE GOVERNMENT ARTICLE”; in line 8, after “SUPERINTENDENT” insert “OR THE COUNTY SUPERINTENDENT’S DESIGNEE”; in line 9, strike “A VALID”; in lines 10 and 11, in each instance, strike “JUDICIAL” and substitute “A JUDICIAL”; and after line 16, insert:

“Article – State Government

6-111.

(a) (1) In this section the following words have the meanings indicated.

(2) “Collateral immigration enforcement” means federal immigration enforcement actions that affect individuals who are not the primary target of the enforcement action but are present at the location of the enforcement action.

(3) “Immigration enforcement” means federal immigration enforcement actions.

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(4) “Sensitive location” means:

(i) a public school, DESIGNATED SCHOOL BUS STOP, OR SCHOOL VEHICLE, AS DEFINED IN § 11–154 OF THE TRANSPORTATION ARTICLE;

(ii) a public library;

(iii) a health care facility operated by a unit of State or local government;

(iv) a facility operated by the Comptroller;

(v) a courthouse; or

(vi) any other location that:

1. provides State–funded services related to:

A. physical or mental health;

B. education;

C. shelter care; [or]

D. DISTRIBUTING FOOD TO INDIVIDUALS IN NEED; OR

[D.] E. access to justice; and

2. as determined by the Attorney General, requires special consideration for immigration enforcement activities.

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(b) The Attorney General shall develop and publish guidance that informs the public and relevant State agencies about:

(1) delineating between immigration enforcement within the public portions of sensitive locations and the nonpublic or private portions of sensitive locations;

(2) verifying the identity of immigration enforcement agents and validating immigration enforcement documentation seeking specific individuals;

(3) limiting liability exposure for State, local, and private institutions and the participation of the employees of those institutions in immigration enforcement at sensitive locations;

(4) facilitating relationships between federal law enforcement officers and State and local officials and law enforcement officers in order to conduct immigration enforcement activities through the least dangerous and disruptive means; and

(5) complying with existing legal obligations and limitations on State and local agencies while maintaining public safety and accessibility to those agencies.

(c) Private entities are encouraged to adopt policies consistent with the guidance developed under subsection (b) of this section if the private entities provide services related to:

(1) physical or mental health;

(2) education;

(3) shelter care; [or]

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(4) DISTRIBUTING FOOD TO INDIVIDUALS IN NEED; OR

[(4)] (5) access to justice.

(d) (1) On or before October 1, 2025, each public school, public library, and unit of the Executive Branch of State or local government that operates at a sensitive location shall implement a policy consistent with the guidance issued by the Attorney General under this section.

(2) ON OR BEFORE OCTOBER 1 EACH YEAR, BEGINNING IN 2026, THE ATTORNEY GENERAL SHALL UPDATE THE GUIDANCE ISSUED UNDER THIS SECTION, AS NECESSARY, AND IF THE GUIDANCE IS UPDATED EACH PUBLIC SCHOOL, PUBLIC LIBRARY, AND UNIT OF EXECUTIVE BRANCH OF STATE OR LOCAL GOVERNMENT 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 this article.”.

AMENDMENT NO. 5

On page 3, strike in their entirety lines 17 and 18 and substitute:

“SECTION 2. 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 yea 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.”.