



# Howard County Government

## CB9-2017

### Primary Information

**Title:** AN ACT providing that certain individuals shall take, or refrain from taking, specified actions with respect to the immigration status of specified individuals; prohibiting certain discrimination based on citizenship status; requiring that certain information related to citizenship status be kept confidential; providing a procedure whenever specified provisions may be preempted by other law; requiring specified officials to take actions under certain circumstances; and generally relating to human rights in Howard County.

**Short Title:** Sanctuary - Immigration and Citizenship.

**Category:** General

**Primary Sponsors:** Calvin Ball, Jen Terrasa

**Secondary Sponsors:**

**Status:** Failed

**Date Signed:** 2/9/2017

**Date Enacted:**

**Date Vetoed:** 2/9/2017

**Date Veto Overridden:**

### Amendments

#### Amendment 1

**Amendment Date:** 02/06/2017

**Legislative Day:** 2

**Comments:** (This amendment clarifies the purpose of the Bill.)

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Amendment 1 to Council Bill No. 9-2017

BY: Calvin Ball and Legislative Day No. 2

Jennifer Terrasa

Date: February 6, 2017

Amendment No. 1

*(This amendment clarifies the purpose of the Bill.)*

On page 2:

- strike lines 6 through 11 in their entirety.
- in line 15, after “commitment” insert “to promote diversity, inclusion, and equality and”
- in line 15, after “of” insert “discrimination, intimidation, xenophobia,”
- in line 17, strike “that” and substitute “our”
- in lines 17-18, strike “by declaring Howard County a sanctuary county” and substitute “not to discriminate on the basis of immigration status”.

**Motions on Amendment**

**Motion to Approve**

**Motion Date:** 2/6/2017

**Final Action:** Passed as Amended

**Moved By :** Calvin Ball

**Seconded By :** Jen Terrasa

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	No
Jon Weinstein	1	Yes

**Amendment 2**

**Amendment Date:** 02/06/2017

**Legislative Day:** 2



# Howard County Government

## CB9-2017

**Comments:** (This amendment defines a term and clarifies that certain actions related to crime are not affected by the Bill.)

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### Amendment 2 to Council Bill No. 9-2017

BY: Calvin Ball and Legislative Day No. 2

Jennifer Terrasa

Date: February 6, 2017

#### Amendment No. 2

*(This amendment defines a term and clarifies that certain actions related to crime are not affected by the Bill.)*

On page 3, in line 14, after “(c)” insert:

“Existing agreement means an executed written agreement in effect on the effective date of this bill.

(d)”.

On page 3, in line 24, after “to” insert “gang activity.”.

Also on page 3, in line 25, strike “and” and substitute “or”.

Also on page 3, after line 26, insert:

“(3) participating in task forces with other jurisdictions to investigate, enforce, and prosecute criminal activity, even if the task force includes immigration enforcement.”.

On page 4, after line 19, insert:

“(c) Notwithstanding subsections (a) and (b) of this section, an employee may communicate with immigration enforcement about any person who was deported after being convicted of an aggravated felony as that term is used in 8 U.S.C. § 1101.

(d) Notwithstanding subsections (a) and (b) of this section, an employee may communicate with immigration enforcement for purposes of coordination and protecting public safety when immigration enforcement is operating in



Motions on Amendment

Motion to Approve

**Motion Date:** 2/6/2017

**Final Action:** Passed

**Moved By :** Calvin Ball

**Seconded By :** Jen Terrasa

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	No
Jon Weinstein	1	Yes

Amendment 3

**Amendment Date:** 02/06/2017

**Legislative Day:** 2

**Comments:** (This amendment provides an alternative approach to achieve the intent of the Bill.)

Amendment 3 to Council Bill No. 9-2017

BY: Calvin Ball Legislative Day No. 2

Date: February 6, 2017

Amendment No. 3

*(This amendment provides an alternative approach to achieve the intent of the Bill.)*

On the title page, strike the purpose paragraph in its entirety and substitute:

“AN ACT extending equal rights and protections to all individuals; recognizing the importance of accommodating culturally diverse contributions of foreign-born residents to social, academic, religious, cultural, and economic life in Howard County; and generally relating to human rights in Howard County.”

On page 1, strike lines 1 through 18 and substitute:

“WHEREAS, Howard County has a culturally diverse population that includes many foreign-born residents; and

WHEREAS, in particular, Hispanic and Latino populations are growing at a steady rate in Howard County and throughout the State of Maryland, rendering issues pertaining to



foreign-born populations of ongoing importance to local and State government; and

WHEREAS, the Governor's Commission of Hispanic Affairs Annual Report, 2013, indicates that Maryland's Hispanic population has increased by over 35% since 2008; and

WHEREAS, it is the mission of Howard County to promote public trust in its government agencies and in its enforcement of laws; and

WHEREAS, Howard County encourages all individuals to report crimes to County law enforcement officials; and

WHEREAS, the United States Constitution vests in the federal government the authority to enact laws governing which foreign-born residents are granted entrance into the United States and determining who among them may stay."

Strike beginning on page 3, line 7 down through page 6 line 5 and substitute:

"Section 12.2100. "Discrimination" defined.

In this subtitle, "discrimination" means any verbal, physical, or nonverbal interaction, or conduct of a discriminatory nature, or conduct based upon an individual's race, color, religion, national origin, immigration status, or ability to speak English.

Section 12.2101. Prohibited conduct.

(a) Discrimination is strictly prohibited. A violation of this prohibition includes, but is not limited to, any of the following circumstances:

(1) a County employee investigates or questions an individual solely for the purpose of determining whether a suspected civil violation of federal immigration law exists, unless such investigation is required by law or existing agreement;

(2) a County employee inquires of any individual about the immigration status of any alleged crime victim, witness, or other individual who contacts any County employee seeking assistance, unless such inquiry is required by law or existing agreement;

(3) a County employee conditions the provision of County services or County benefits solely on the immigration status of an individual seeking those services or benefits, unless such conditions are lawfully imposed by law or existing agreement; and

(4) a County employee inquires with Immigration and Customs Enforcement ("ICE") about an individual's immigration status, subject to federal law.

(b) Nothing in this subtitle shall be construed to prohibit a County employee from:

(1) participating in task force activities with federal law enforcement authorities;

(2) investigating violations of law, as long as the investigation is not for the purpose of furthering an investigation based on an alleged civil violation of federal immigration law, unless required by existing agreement;



(3) cooperating with federal immigration authorities who have established that probable cause exists to apprehend an undocumented foreign-born resident who has engaged in criminal activity;

(4) pursuing County-sanctioned initiatives or programs when inquiry into an individual's immigration status is required for the sole purpose of establishing eligibility for services or benefits to the individual as long as the information about the individual's immigration status is not used for any purpose related to immigration enforcement activities; or

(5) considering an individual's race, color, religion, national origin, immigration status, or ability to speak English if, and only if, it is required by law for County employment or to receive a particular service or benefit.

(c) Information about an individual's immigration status shall not be retained or stored in any public record or database, subject to federal law or unless in furtherance of a County-sanctioned initiative or program required by law, and in that case shall be kept confidential from anyone not required by law to have the information.

Section 12.2102. Penalty.

An employee who violates this subtitle shall be sanctioned in accordance with the rules and regulations of the personnel system and applicable law.

Section 12.2103. Other rights or privileges.

The provisions of this subtitle shall not preclude any person from exercising any rights or privileges granted by any law."



**Amendment 1 to Amendment 1**

**Amendment Date:** 02/06/2017

**Legislative Day:** 2

**Comments:** This amendment further clarifies the purpose of the Bill.

**Amendment 1 to Amendment 1 to Council Bill No. 9-2017**

**BY:** Calvin Ball and Legislative Day No. 2

**Jennifer Terrasa Date:** February 6, 2017

**Amendment No. 1 to Amendment No. 1**

*(This amendment further clarifies the purpose of the Bill.)*

On page 1, after line 5 insert:

“

- in line 16, after “bigotry,” insert “Islamophobia, anti-Semitism,”
- in line 16, after the first “and” insert “other forms of””.

**Motions on Amendment**

**Motion to Approve**

**Motion Date:** 2/6/2017

**Final Action:** Passed

**Moved By :** Calvin Ball

**Seconded By :** Jen Terrasa

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes



Motions/Votes On Legislation

Motion to Approve

**Motion Date:** 2/6/2017

**Final Action:** Passed as Amended

**Moved By :** Calvin Ball

**Seconded By :** Jen Terrasa

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	No
Jon Weinstein	1	No

Motion to Override Veto

**Motion Date:** 3/6/2017

**Final Action:** Failed to Override Veto

**Moved By :** Calvin Ball

**Seconded By :** Jen Terrasa

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	No
Jon Weinstein	1	No

Documents

[Amendment 1 to Amendment 1](#) - Amendments

[Amendment 1](#) - Amendments

[Amendment 2](#) - Amendments

[Amendment 3](#) - Amendments

[Written Testimony 1.16](#) - Supporting Documents





# Howard County Government

## CB9-2017

[Written Testimony 1.17](#) - Supporting Documents

[Written Testimony 1.18](#) - Supporting Documents

[Written Testimony 1.19](#) - Supporting Documents

[Written Testimony 1.20](#) - Supporting Documents

[Written Testimony 1.21](#) - Supporting Documents

[Written Testimony 1.22](#) - Supporting Documents

[Written Testimony 1.23](#) - Supporting Documents

[Written Testimony 1.24](#) - Supporting Documents

[Written Testimony 1.25 Part A](#) - Supporting Documents

[Written Testimony 1.25 Part B](#) - Supporting Documents

[Written Testimony 1.26 Part A](#) - Supporting Documents

[Written Testimony 1.26 Part B](#) - Supporting Documents

[Written Testimony 1.27](#) - Supporting Documents

[Written Testimony 1.28](#) - Supporting Documents

[Written Testimony 1.29 Part A](#) - Supporting Documents

[Written Testimony 1.29 Part B](#) - Supporting Documents

[Written Testimony 1.30](#) - Supporting Documents

[Written Testimony 1.31](#) - Supporting Documents



# Howard County Government

## CB9-2017

[Written Testimony 2.1-2.2](#) - Supporting Documents

[Written Testimony 2.3](#) - Supporting Documents

[Written Testimony 2.4](#) - Supporting Documents

[Written Testimony 2.5](#) - Supporting Documents

[Hand Delivered Testimony 1.17](#) - Supporting Documents

[Written Testimony 2.27-3.4](#) - Supporting Documents

[Written Testimony 3.3-3.6](#) - Supporting Documents

[Written Testimony 1.11-1.15](#) - Supporting Documents

[Written Testimony 1.3](#) - Supporting Documents

[Written Testimony 1.4](#) - Supporting Documents

[Written Testimony 1.5](#) - Supporting Documents

[Written Testimony 1.6](#) - Supporting Documents

[Written Testimony 1.7](#) - Supporting Documents

[Written Testimony 1.8-1.10](#) - Supporting Documents

[Written Testimony 12.26-1.2](#) - Supporting Documents

[Written Testimony 2.3-2.27](#) - Supporting Documents

[Written Testimony 2.6](#) - Supporting Documents

[Written Testimony to MKS A](#) - Supporting Documents



# Howard County Government

## CB9-2017

[Written Testimony to MKS B](#) - Supporting Documents

[CB9-2017](#) - As Introduced

[CB9-2017](#) - Final (Amended)

[CB9-2017public](#) - Supporting Documents

[CB9-2017testimony1](#) - Supporting Documents

[CB9-2017testimony2](#) - Supporting Documents

[Veto Letter from the Executive](#) - Supporting Documents

[Enrolled Amendment 1](#) - Amendments

[Enrolled CB9-2017](#) - Supporting Documents

[Public Hearing Testimony- January 17, 2017](#) - Supporting Documents

[Public Hearing Testimony- January 18, 2017](#) - Supporting Documents