

Amendment 1 to Amendment 8 to Council Bill No. 63-2020

BY: Liz Walsh

Legislative Day No. 17

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Amendment No. 1

(This Amendment generally adds to the Bill the provisions of Amendment 8 as originally introduced that are not otherwise contained in Amendments 1 through 7 and removes from Amendment 8 those provisions that are already added by Amendments 1 through 7.)

1 Beginning on page 1 line 1, strike down through and including page 3 line 61 and substitute:
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3 “On page 4, in line 2, after “(A)” insert “(1)”.
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5 On page 4, in line 4, after “ASSIST” insert “OR COORDINATE WITH”.
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7 On page 4, after line 7, insert:

8 “(2) THE REQUIREMENTS OF THIS SUBSECTION INCLUDE A PROHIBITION AGAINST:

9 (I) PERMITTING IMMIGRATION ENFORCEMENT OFFICIALS ACCESS TO NON-PUBLIC SPACE WITHIN A
10 GOVERNMENT FACILITY OR ANY AREA WHERE COUNTY BUSINESS IS BEING CONDUCTED;

11 (II) PERMITTING IMMIGRATION ENFORCEMENT OFFICIALS ACCESS TO A PERSON BEING DETAINED BY,
12 OR IN THE CUSTODY OF, THE AGENT OR AGENCY;

13 (III) PERMITTING IMMIGRATION ENFORCEMENT OFFICIALS USE OF AGENCY FACILITIES,
14 INFORMATION, OR EQUIPMENT FOR INVESTIGATIVE INTERVIEWS OR OTHER INVESTIGATIVE PURPOSES;

15 (IV) DETAINING A PERSON WHEN ELIGIBLE FOR RELEASE; OR

16 (V) NOTIFYING IMMIGRATION ENFORCEMENT OFFICIALS THAT AN INDIVIDUAL HAS BEEN OR IS
17 READY TO BE RELEASED FROM CUSTODY, UNLESS THE INDIVIDUAL HAS BEEN CONVICTED OF A CRIME OF
18 VIOLENCE AS DEFINED IN MARYLAND CRIMINAL LAW CODE ANNOTATED SECTION 14-101.”
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20 On page 4, at the end of new (c)(4), which was added by Amendment 4 to Council Bill 63, before the period, insert:

21 “, INCLUDING BY DIRECTLY OR INDIRECTLY PROVIDING ACCESS TO IMMIGRATION ENFORCEMENT OFFICIALS
22 OF CONFIDENTIAL PERSONAL INFORMATION, UNLESS THE EMPLOYEE’S ACTION IS EXPRESSLY AUTHORIZED UNDER
23 THIS SUBTITLE”
24

25 On page 4, after line 11, insert:

26 “(D) HOWARD COUNTY WILL ONLY ACCEPT DETAINEES FROM IMMIGRATION AND CUSTOMS ENFORCEMENT

27 FOR THE PURPOSES OF TEMPORARY HOUSING UNDER AN EXISTING INTERGOVERNMENTAL SERVICE
28 AGREEMENT IF THOSE INDIVIDUALS HAVE BEEN CONVICTED OF A CRIME OF VIOLENCE AS DEFINED IN
29 MARYLAND CRIMINAL LAW CODE ANNOTATED SECTION 14-101.

30 (E) NOTWITHSTANDING ANY OF THE PROVISIONS SET OUT IN THIS SECTION, HOWARD COUNTY MAY NOTIFY
31 IMMIGRATION OFFICIALS OF THE IMMINENT RELEASE OF A PERSON FOR WHOM A CIVIL DETAINER REQUEST
32 HAS BEEN RECEIVED FROM IMMIGRATION OFFICIALS ONLY IF THE PERSON HAS COMPLETED A CRIMINAL
33 SENTENCE AFTER BEING CONVICTED OF A CRIME OF VIOLENCE AS DEFINED IN MARYLAND CRIMINAL LAW
34 CODE ANNOTATED SECTION 14-101 AND ALLOW IMMIGRATION OFFICIALS ACCESS TO THE FACILITY AS
35 NECESSARY TO TAKE THAT PERSON INTO CUSTODY.

36 (F) THIS SECTION DOES NOT APPLY TO AUDITS OR OTHER ACTIONS NECESSARY TO CARRY OUT THE TERMS OR
37 PURPOSE OF AN EXISTING INTERGOVERNMENTAL SERVICE AGREEMENT.”

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