

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 20

Bill No. 98-25

Councilmembers Patoka and Jones

By the County Council, December 1, 2025

A BILL
ENTITLED

AN ACT concerning

Protections for Non-U.S. Citizens

FOR the purpose of providing that County employees, departments, and agents shall take, or refrain from taking, specified actions with respect to the immigration status of specified individuals; prohibiting certain discrimination based on immigration status; requiring that certain information related to citizenship, nationality, or immigration 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; specifying which actions may and may not be taken by certain County departments, officers, and officials during participation on certain task forces; requiring County departments to adopt specified policies and make specified reports; governing the expenditure of certain County resources; and generally relating to human rights in Baltimore County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

BY adding

Sections 4-3-601 through 4-3-610
Article 4 – Human Resources
Title 3 – All County Employees
Subtitle 6 – Protections for Non-U.S. Citizens
Baltimore County Code, 2015

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3

4 ARTICLE 4 – HUMAN RESOURCES

5 Title 3 – All County Employees

6 Subtitle 6 – Protections for Non-U.S. Citizens

7

8 § 4-3-601. DEFINITIONS.

9 (A) IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS
10 INDICATED.

11 (B) “AGENT” MEANS ANY PERSON EMPLOYED BY OR ACTING ON BEHALF
12 OF A DEPARTMENT, INCLUDING CONTRACTORS OR OTHER INDIVIDUALS,
13 ORGANIZATIONS, BUSINESSES, OR OTHER ENTITIES NOT CONSIDERED
14 EMPLOYEES AS DEFINED IN THIS SECTION.

15 (C) (1) “EMPLOYEE” MEANS A PERSON EMPLOYED BY BALTIMORE
16 COUNTY.

17 (2) “EMPLOYEE” INCLUDES:

18 (I) AN OFFICER OF THE BALTIMORE COUNTY POLICE
19 DEPARTMENT; AND

1 (II) AN ELECTED OR APPOINTED OFFICIAL.

2 (D) "CONTRACTOR" IS A CONTRACTOR HIRED BY BALTIMORE COUNTY.

3 (E) "DEPARTMENT" MEANS ANY COUNTY DEPARTMENT, AGENCY,
4 DIVISION, OFFICE, COMMISSION, COUNCIL, COMMITTEE, BOARD, OTHER BODY,
5 OR PERSON ESTABLISHED UNDER THE COUNTY CHARTER OR COUNTY CODE, AN
6 EXECUTIVE ORDER, OR ANY OTHER COUNTY COUNCIL ACTION.

7 (F) (1) "IMMIGRATION ENFORCEMENT AGENCY" MEANS ANY UNIT OF
8 THE FEDERAL GOVERNMENT THAT ENFORCES IMMIGRATION LAWS OR IS
9 ENGAGED IN IMMIGRATION ENFORCEMENT.

10 (2) "IMMIGRATION ENFORCEMENT AGENCY" INCLUDES THE UNITED
11 STATES DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS
12 ENFORCEMENT.

13 (G) "COUNTY RESOURCES" INCLUDES ANY COUNTY MONIES, FACILITIES,
14 PROPERTY, EQUIPMENT, PERSONNEL, OR OTHER ASSETS FUNDED AS A WHOLE
15 OR IN PART BY BALTIMORE COUNTY.

16 (H) "OFFICER IN CHARGE" MEANS THE OFFICER IN CHARGE OF THE
17 BALTIMORE COUNTY POLICE DEPARTMENT OFFICERS ASSIGNED TO A TASK
18 FORCE, THE CHIEF OF POLICE, OR THE COUNTY SHERIFF.

19
20 § 4-3-602. FEDERAL OR STATE PREEMPTION; APPLICABILITY.

21 (A) A PROVISION OF THIS SUBTITLE SHALL NOT APPLY WHENEVER THE
22 PROVISION IS PREEMPTED BY STATE OR FEDERAL LAW, OR INTERNATIONAL
23 TREATY.

1 (B) THIS SUBTITLE DOES NOT PROHIBIT THE BALTIMORE COUNTY POLICE
2 DEPARTMENT FROM:

3 (1) INVESTIGATING OR ARRESTING VIOLATORS OF THE STATE OR
4 LOCAL CRIMINAL LAW; ~~OR~~

5 (2) ASSISTING A FEDERAL AGENCY WITH INVESTIGATIONS OR
6 ARRESTS RELATING TO CRIMINAL ACTIVITY, OR SUSPECTED CRIMINAL
7 ACTIVITY, OTHER THAN VIOLATIONS OF THE IMMIGRATION AND NATIONALITY
8 LAWS OF THE UNITED STATES; OR

9 (3) PARTICIPATING IN TASK FORCES WITH OTHER JURISDICTIONS
10 TO INVESTIGATE, ENFORCE, AND PROSECUTE CRIMINAL ACTIVITY, EVEN IF THE
11 TASK FORCE INCLUDES AN IMMIGRATION ENFORCEMENT AGENCY, PROVIDED
12 THAT COUNTY RESOURCES ARE NOT USED FOR THE PURPOSE OF CIVIL
13 IMMIGRATION ENFORCEMENT.

14 (I) WHEN PARTICIPATING IN A TASK FORCE UNDER THIS
15 PROVISION, THE COUNTY POLICE DEPARTMENT SHALL NOT DISCLOSE, OR
16 THREATEN TO DISCLOSE, ANY INFORMATION REGARDING THE CITIZENSHIP,
17 NATIONALITY, OR IMMIGRATION STATUS OF AN INDIVIDUAL TO ANOTHER
18 LOCAL, STATE, OR FEDERAL AGENCY.

19 (II) WHEN PARTICIPATING IN A TASK FORCE UNDER THIS
20 PROVISION, § 4-3-604 OF THIS SUBTITLE SHALL BE ENFORCED SO AS TO REQUIRE
21 THAT THE COUNTY POLICE DEPARTMENT OFFICERS AND OFFICIALS, EXCEPT AS
22 AUTHORIZED IN § 4-3-604(B) OF THIS SUBTITLE, SHALL NOT ASK ANY PERSON
23 ABOUT HIS OR HER CITIZENSHIP, NATIONALITY, OR IMMIGRATION STATUS, NOR

1 ASK ANY PERSON ABOUT THE CITIZENSHIP, NATIONALITY, OR IMMIGRATION
2 STATUS OF ANOTHER PERSON.

3 (III) WHEN PARTICIPATING IN A TASK FORCE UNDER THIS
4 PROVISION, IF AT ANY TIME AN OFFICER IN CHARGE OF THE COUNTY POLICE
5 DEPARTMENT REASONABLY BELIEVES THAT THE TASK FORCE IS NOT
6 PRIMARILY ACTING TO INVESTIGATE OR ENFORCE CRIMINAL LAW, BUT
7 INSTEAD AS A PRETEXT FOR IMMIGRATION ENFORCEMENT, THE COUNTY
8 POLICE DEPARTMENT SHALL IMMEDIATELY CEASE ASSISTANCE AND
9 WITHDRAW FROM THE TASK FORCE.

10 (C) THIS SUBTITLE DOES NOT PROHIBIT DISCLOSURE OF INFORMATION
11 REGARDING CITIZENSHIP OR IMMIGRATION STATUS IF THE DISCLOSURE IS:

12 (1) REQUIRED BY COUNTY, STATE, OR FEDERAL LAW, OR
13 INTERNATIONAL TREATY;

14 (2) REQUIRED UNDER § 23-1405 OF THE ALCOHOLIC BEVERAGES
15 ARTICLE OF THE MARYLAND CODE;

16 (3) AUTHORIZED IN WRITING BY THE SUBJECT OF THE
17 INFORMATION; ~~OR~~

18 (4) MADE TO THE UNITED STATES DEPARTMENT OF STATE IN
19 CONNECTION WITH AN APPLICATION FOR A UNITED STATES PASSPORT; OR

20 (5) REQUIRED IN ORDER TO SCREEN APPLICANTS FOR ELIGIBILITY
21 FOR FEDERAL, STATE, OR LOCAL BENEFITS PROGRAMS.

22
23 § 4-3-603. NO ENFORCEMENT OF IMMIGRATION LAWS.

1 (A) WHEN ACTING WITHIN THE SCOPE OF EMPLOYMENT, AN EMPLOYEE,
2 DEPARTMENT, OR AGENT SHALL NOT ENGAGE IN THE ENFORCEMENT OF THE
3 IMMIGRATION AND NATIONALITY LAWS OF THE UNITED STATES AND SHALL
4 NOT ASSIST AN IMMIGRATION ENFORCEMENT AGENCY IN THE INVESTIGATION
5 OR ARREST OF A PERSON FOR A CIVIL OR CRIMINAL VIOLATION OF THE
6 IMMIGRATION AND NATIONALITY LAWS OF THE UNITED STATES, EXCEPT AS
7 REQUIRED BY STATE OR FEDERAL LAW, OR INTERNATIONAL TREATY.

8 (B) (1) WHEN ACTING WITHIN THE SCOPE OF EMPLOYMENT, AN
9 EMPLOYEE, DEPARTMENT, OR AGENT SHALL NOT ASSIST IMMIGRATION
10 ENFORCEMENT IN THE COLLECTION OR DISTRIBUTION OF INFORMATION ABOUT
11 ANY PERSON, EXCEPT AS REQUIRED BY STATE OF FEDERAL LAW, OR
12 INTERNATIONAL TREATY.

13 (2) THE PROHIBITIONS IN PARAGRAPH (1) OF THIS SUBSECTION
14 INCLUDE PROHIBITING:

15 (I) THE DISCLOSURE, OR A THREAT OF DISCLOSURE, OF
16 INFORMATION ABOUT ANY PERSON TO AN IMMIGRATION ENFORCEMENT
17 AGENCY; OR

18 (II) THE EXPENDITURE OF COUNTY RESOURCES TO ASSIST OR
19 FACILITATE CIVIL IMMIGRATION ENFORCEMENT, UNLESS THE EMPLOYEE
20 ACTION IS EXPRESSLY AUTHORIZED UNDER THIS SUBTITLE.

21
22 § 4-3-604. PROHIBITION ON INQUIRIES RELATED TO CITIZENSHIP, NATIONALITY,
23 OR IMMIGRATION STATUS.

1 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, WHEN
2 ACTING WITHIN THE SCOPE OF EMPLOYMENT, AN EMPLOYEE, DEPARTMENT, OR
3 AGENT OF BALTIMORE COUNTY SHALL NOT ASK ANY PERSON ABOUT:

4 (1) HIS OR HER CITIZENSHIP, NATIONALITY, OR IMMIGRATION
5 STATUS; OR

6 (2) THE CITIZENSHIP OR IMMIGRATION STATUS OF ANOTHER
7 PERSON.

8 (B) THIS SECTION DOES NOT PROHIBIT:

9 (1) THE COLLECTION OF INFORMATION REGARDING CITIZENSHIP
10 STATUS IN CONNECTION WITH THE REGISTRATION OR ATTEMPTED
11 REGISTRATION TO VOTE IN COUNTY ELECTIONS;

12 (2) INQUIRIES REGARDING THE CITIZENSHIP OF APPLICANTS FOR
13 POSITIONS AS SWORN OFFICERS WITH THE BALTIMORE COUNTY POLICE
14 DEPARTMENT OR THE BALTIMORE COUNTY DEPARTMENT OF CORRECTIONS;

15 (3) THE COLLECTION OF INFORMATION IN CONNECTION WITH
16 APPLICATIONS FOR UNITED STATES PASSPORTS;

17 (4) INQUIRIES REGARDING THE CITIZENSHIP OR IMMIGRATION
18 STATUS OF EMPLOYEES AND APPLICANTS FOR EMPLOYMENT WITH THE
19 COUNTY AS REQUIRED BY TITLE 8, CHAPTER 12, SUBCHAPTER II, PART VIII, OF
20 THE UNITED STATES CODE; ~~OR~~

21 (5) RESPONDING TO INQUIRIES REGARDING CITIZENSHIP OR
22 IMMIGRATION STATUS IN COMPLIANCE WITH STATE OR FEDERAL LAW,
23 INCLUDING 8 U.S. CODE § 1373, OR INTERNATIONAL TREATY, PROVIDED THAT

1 RESPONDING TO SUCH INQUIRIES DOES NOT INCLUDE THE GATHERING OF THE
2 CITIZENSHIP OR IMMIGRATION STATUS OF ANY INDIVIDUAL OR OTHER
3 EXPENDITURE OF COUNTY RESOURCES PROHIBITED UNDER THIS SUBTITLE; OR
4 (6) INQUIRIES REGARDING CITIZENSHIP OR IMMIGRATION STATUS
5 IN CONNECTION WITH THE SCREENING OF APPLICANTS FOR ELIGIBILITY FOR
6 FEDERAL, STATE, OR LOCAL BENEFITS PROGRAMS.

7
8 § 4-3-605. DISCRIMINATION BASED ON CITIZENSHIP, NATIONALITY OR
9 IMMIGRATION STATUS PROHIBITED.

10 WHEN ACTING WITHIN THE SCOPE OF EMPLOYMENT, AN EMPLOYEE,
11 DEPARTMENT, OR AGENT OF BALTIMORE COUNTY SHALL NOT DISCRIMINATE
12 AGAINST ANY PERSON ON THE BASIS OF CITIZENSHIP, NATIONALITY, OR
13 IMMIGRATION STATUS.

14
15 § 4-3-606. CONFIDENTIALITY OF INFORMATION ABOUT CITIZENSHIP STATUS.

16 EMPLOYEES, DEPARTMENTS, AND AGENTS OF BALTIMORE COUNTY
17 SHALL NOT DISCLOSE, OR THREATEN TO DISCLOSE, ANY INFORMATION
18 REGARDING THE CITIZENSHIP, NATIONALITY, OR IMMIGRATION STATUS OF AN
19 INDIVIDUAL TO A THIRD PARTY EXCEPT AS PROVIDED IN § 4-3-602(C) OF THIS
20 SUBTITLE.

21
22 § 4-3-607. PENALTY.

1 AN EMPLOYEE WHO VIOLATES THIS SUBTITLE SHALL BE SANCTIONED IN
2 ACCORDANCE WITH THE RULES AND REGULATIONS OF THE PERSONNEL SYSTEM
3 AND APPLICABLE LAW.

4
5 § 4-3-608. ENFORCEMENT.

6 (A) COMPLAINTS OF NONCOMPLIANCE WITH THIS SUBTITLE SHALL BE
7 FILED WITH THE:

- 8 (1) THE DIRECTOR OF THE OFFICE OF HUMAN RESOURCES;
9 (2) THE COUNTY ADMINISTRATIVE OFFICER OR THEIR DESIGNEE;
10 (3) THE COUNTY ATTORNEY; AND
11 (3) THE EXECUTIVE DIRECTOR, CHIEF, OR HEAD OF ANY

12 DEPARTMENT, DIVISION, OFFICE, OR COMMISSION WHOSE PRIMARY PURPOSE IS
13 IMMIGRANT AFFAIRS, PROVIDED SUCH PERSON IS AN EMPLOYEE OF THE
14 COUNTY.

15 (B) THE COUNTY ADMINISTRATIVE OFFICER AND THE OFFICES OF HUMAN
16 RESOURCES AND LAW SHALL JOINTLY REVIEW THE COMPLIANCE OF THE
17 COUNTY DEPARTMENTS, AGENCIES, COMMISSIONS, AND EMPLOYEES WITH THE
18 MANDATES OF THIS SUBTITLE WHEN THERE IS QUESTION OF NONCOMPLIANCE
19 OR WHEN A COMPLAINT ALLEGING NONCOMPLIANCE HAS BEEN LODGED.

20
21 § 4-3-609. CHANGES IN PRACTICES.

22 (A) WHENEVER THE COUNTY ATTORNEY LEARNS OF A STATE OR
23 FEDERAL LAW OR INTERNATIONAL TREATY THAT MAY PREEMPT THIS

1 SUBTITLE, THE COUNTY ATTORNEY SHALL ADVISE THE COUNTY COUNCIL AND
2 THE COUNTY EXECUTIVE:

3 (1) ABOUT THE LAW OR TREATY; AND

4 (2) WHETHER THE COUNTY SHOULD CHANGE ANY PRACTICES
5 UNDER OR PROVISIONS OF THIS SUBTITLE.

6 (B) THE COUNTY EXECUTIVE SHALL NOTIFY THE PUBLIC OF ANY
7 CHANGES IN PRACTICES MADE AS A RESULT OF THIS SECTION.

8
9 § 4-3-610. DIRECTIVES TO DEPARTMENTS.

10 (A) ALL DEPARTMENTS SHALL:

11 (1) DEVELOP POLICIES CONSISTENT WITH IMPLEMENTATION OF
12 THIS SUBTITLE WITHIN 120 DAYS OF ITS EFFECTIVE DATE;

13 (2) MAKE POLICIES DEVELOPED BY DEPARTMENTS PUBLICLY
14 AVAILABLE ON THE COUNTY'S WEBSITE;

15 (3) ANNUALLY REPORT THROUGH THE COUNTY ADMINISTRATIVE
16 OFFICER AND THE OFFICE OF IMMIGRANT AFFAIRS TO THE COUNTY COUNCIL
17 AND COUNTY EXECUTIVE THE NUMBER OF REQUESTS RECEIVED FROM
18 IMMIGRATION ENFORCEMENT AGENCY OFFICIALS AND THE MANNER IN WHICH
19 EACH REQUEST WAS HANDLED, AS WELL AS WHETHER ANY COUNTY
20 EMPLOYEE, AGENT, OFFICER, OR OFFICIAL VIOLATED ANY SECTION OF THIS
21 SUBTITLE; AND

1 (4) RESPOND TO ANY REQUEST FOR INFORMATION FOR MATTERS
2 COVERED UNDER THIS SUBTITLE BY THE COUNTY COUNCIL OR THE COUNTY
3 EXECUTIVE WITHIN A REASONABLE TIME NOT TO EXCEED 15 DAYS.

4 (B) POLICIES DEVELOPED BY DEPARTMENTS SHALL DELINEATE
5 EMPLOYMENT CONSEQUENCES FOR FAILURE TO COMPLY WITH DEVELOPED
6 POLICIES.

7 (C) IF THE DISCLOSURE OF ANY INFORMATION OR RECORD TO AN
8 ELECTED OFFICIAL OR THE PUBLIC UNDER SUBSECTION (A) OF THIS SECTION IS
9 FOUND TO BE A PERSONNEL RECORD OR IS OTHERWISE PROHIBITED FROM
10 DISCLOSURE UNDER THE MARYLAND PUBLIC INFORMATION ACT, THE COUNTY
11 ATTORNEY SHALL GIVE A CONFIDENTIAL BRIEFING TO THE ELECTED OFFICIAL,
12 WHO SHALL BE REQUIRED TO MAINTAIN CONFIDENTIALITY UNDER THE PUBLIC
13 INFORMATION ACT.

14
15 SECTION 2. AND BE IT FURTHER ENACTED, that, if any provision of this Act or
16 the application of any provision of this Act to any person or circumstance is held invalid for any
17 reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any
18 other application of this Act that can be given effect without the invalid provision or application,
19 and for this purpose the provisions of this Act are declared severable.

20
21 SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by
22 the affirmative vote of five members of the County Council, shall take effect 14 days after its
23 enactment.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - BILL

MOTION

AYE NAY

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

AYE NAY

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

AYE NAY

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

AYE NAY

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell