



Committee: PS/GO
Committee Review: At a future date
Staff: Ludeen McCartney-Green, Legislative Attorney
Purpose: To introduce agenda item – no vote expected
Keywords: #countyvalueact#immigrationguidance

AGENDA ITEM #1C
January 20, 2026
Introduction

SUBJECT

Bill 3-26, Administration – Immigration Enforcement Guidance – Required (The County Values Act)

Lead Sponsor: Councilmember Mink

Cosponsors: Councilmembers Stewart, Jawando, Friedson, Evans, Sayles, and Glass

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- N/A; Introduction

DESCRIPTION/ISSUE

Bill 3-26 would:

- (1) require the County Executive to develop and publish certain guidance related to immigration enforcement action at County facilities;
- (2) require County departments to adopt certain policies consistent with the Executive's guidance;
- (3) limit access to certain areas for immigration enforcement, subject to certain conditions; and
- (4) generally amend the laws regarding County administration and immigration enforcement in the County.

SUMMARY OF KEY DISCUSSION POINTS

- N/A

This report contains:

Staff Report
Bill 3-26

Pages 1-3
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M E M O R A N D U M

January 15, 2026

TO: County Council

FROM: Ludeen McCartney-Green, Legislative Attorney

SUBJECT: Bill 3-26, Administration – Immigration Enforcement Guidance – Required
(The County Values Act)

PURPOSE: Introduction – no Council votes required

Bill 3-26, Administration – Immigration Enforcement Guidance – Required (The County Values Act), Lead Sponsor Councilmember Mink, Co-sponsored by Councilmembers Stewart, Jawando, Friedson, Evans, Sayles, and Glass, is scheduled to be introduced on January 20, 2026. A public hearing and joint Public Safety (PS) & Government Operations (GO) committee worksession will be scheduled at a later date.

Bill 3-26 would:

- (1) require the County Executive to develop and publish certain guidance related to immigration enforcement action at County facilities;
- (2) require County departments to adopt certain policies consistent with the Executive's guidance;
- (3) limit access to certain areas for immigration enforcement, subject to certain conditions; and
- (4) generally amend the laws regarding County administration and immigration enforcement in the County.

PURPOSE

The purpose of this bill is to establish a County law that governs interactions with U.S. Immigration and Customs Enforcement (ICE) on County property and within County facilities. The Bill seeks to reaffirm the County's values of equity, inclusiveness, dignity, and justice, and to maintain community trust by clearly separating County services from federal immigration enforcement.

BACKGROUND

Bill 3-26 seeks to mirror and align with Laws of Maryland, Chapter 718 of 2025, referred to as, The Maryland Values Act.¹ The Maryland Values Act requires that: 1) public schools, public libraries, and certain units of the executive branch of State or local government that operate at a “sensitive location” to “deny access” to any portion of the sensitive location not accessible to the public to any individual who is seeking access “for the purpose of enforcing federal immigration law” unless: (1) the individual presents a valid warrant issued by a federal; or 2) exigent circumstances exist.²

The Act also directs the Office of the Attorney General to develop and publish guidance to inform the public and State agencies about certain topics related to immigration enforcement activities and sensitive locations, including complying with existing legal obligations. Proposed State Government Article (“SG”), § 6-111(b). Under the Act, public schools, public libraries, and units of the executive branch of State or local government that operate at a sensitive location must implement policies consistent with the Attorney General’s guidance by October 1, 2025.³

BILL SPECIFICS

Restrict ICE access to non-public areas. Bill 3-26 (The County Values Act) would, among several things, restrict ICE access to: 1) non-public areas of County facilities unless there are a valid federal judicial warrant or exigent circumstances; and 2) prohibit the use of County-owned or County-controlled parking lots, garages, and vacant lots as a staging, processing, or operation area for civil immigration enforcement activities, with limited public safety and legal exceptions.

Require signage for County-controlled/owned property. The legislation directs the County Executive to identify and install clear signage at the entrance of County properties (parking lots, garages, or vacant lots) that have been or may be used for immigration enforcement operations, and implement physical barriers (gates, fence, etc.), where appropriate. The Bill also requires County employees to report unauthorized use of County property. Further, the County must provide template signage for businesses that choose to restrict ICE access in non-public areas.

Immigration Enforcement Guidance for County Departments. Additionally, the Act requires the County Executive, in coordination with the Office of County Attorney, to develop comprehensive immigration enforcement guidance for County departments, including training, procedures, signage, and model policies. Departments must designate officials to respond to ICE visits and ensure staff are trained on the guidance.

Compliance with Federal Law. The Act expressly preserves compliance with federal law and does not restrict the lawful exchange of information regarding immigration or citizenship status.

¹ House Bill 1222, “Public Safety – Immigration Enforcement – The Maryland Values Act.

² Maryland General Assembly. <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB1222/?ys=2025rs>

³ Attorney General Review Letter for House Bill 1222.

<https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB1222/?ys=2025rs>

This packet contains:
Bill 3-26

Circle #
1

Bill No. 3-26
Concerning: Administration – Immigration
Enforcement Guidance – Required
(The County Values Act)
Revised: 1/12/2026 Draft No. 3
Introduced: January 20, 2026
Expires: December 7, 2026
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Mink
Co-sponsors: Councilmembers Stewart, Jawando, Friedson, Evans, Sayles, and Glass

AN ACT to:

- (1) require the County Executive to develop and publish certain guidance related to immigration enforcement action at County facilities;
- (2) require County departments to adopt certain policies consistent with the Executive's guidance;
- (3) limit access to certain areas for immigration enforcement, subject to certain conditions; and
- (4) generally amend the laws regarding County administration and immigration enforcement in the County.

By adding

Chapter 2, Administration
Article XV, Immigration Enforcement Guidance
Sections 2-160, 2-161, 2-162, 2-163, 2-164, 2-165, and 2-166

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Article XV (Sections 2-160, 2-161, 2-162, 2-163, 2-164, and 2-165) of Chapter 2 is added as follows:

ARTICLE XV. IMMIGRATION ENFORCEMENT GUIDANCE.

2-160. Short Title.

This Article is known as “The County Values Act.”

2-161. Purpose.

- (a) The purpose of this Act is to uphold the County’s values of equity, inclusiveness, dignity, and justice for all;
- (b) explain how County departments should respond to Immigration and Customs Enforcement actions;
- (c) provide model policy language and guiding principles to help departments and facilities adopt consistent practices;
- (d) maintain community trust by separating County services from federal immigration enforcement; and
- (e) limit the use of County property for federal immigration enforcement purposes to enhance public trust, ensure equitable access to public facilities, and preserve County resources for local governmental purposes.

2-162. Definitions.

In this Section, the following words and phrases have the following meanings:

County facility means a building controlled by the County that provides services to the public.

County-owned or County-controlled property means real property owned, leased, or otherwise under the control or management authority of the County, including parking lots, garages, and vacant lots.

Department means any executive branch County department, agency, division, or other body, or person established by authority of an order, executive order, or County Council order.

Immigration and Customs Enforcement (ICE) means the federal enforcement agency responsible for enforcing civil immigration law, which may also include any entity or personnel authorized to enforce civil immigration law.

Staging area means an area used to assemble, mobilize, deploy vehicles, equipment, materials, or personnel for carrying out civil immigration enforcement operations.

2-163. ICE access in County facilities – warrant requirement.

(a) A County employee or contractor must not grant an ICE officer access or assist an officer in entering any portion of a County facility that is not accessible to the general public, unless:

(1) there are exigent circumstances; or

(2) the officer presents a valid warrant issued by a federal court.

(b) Nothing in this Section authorizes a County employee or contractor to interfere with, restrict, or impede an immigration officer when access has been denied or consent to entry has been withheld.

2-164. Prohibition on use of County property for ICE enforcement.

(a) Any County-owned or County-controlled parking lot, garage, or vacant lot must not be used for ICE enforcement activities, including surveillance, staging, processing, detention, or vehicle storage, unless required by law or authorized by a valid judicial warrant.

(b) Any area or space identified under subsection (d) is not available to the general public for similar activities; in addition, federal, state, or local government entities or personnel will not receive special or enhanced access to County property for civil immigration enforcement operations.

- 53 (c) This section does not apply to:
- 54 (1) any temporary access necessary to address an immediate threat to
- 55 public safety; or
- 56 (2) publicly available areas open to the general public, where the
- 57 County lacks legal authority to restrict entry.
- 58 (d) The County Executive must identify all County-owned or controlled
- 59 parking lots, vacant lots, or garages that either have been used or are
- 60 likely to be used in the future as a staging area, processing location, or
- 61 operations base for civil immigration enforcement.
- 62 (e) The County Executive must ensure that all such County properties
- 63 identified under subsection (d) have clear signage stating:
- 64 “This property is owned or controlled by Montgomery County. It may
- 65 not be used for civil immigration enforcement as a: Staging Area,
- 66 Processing Location, or Operations Base.”
- 67 (f) The County Executive must ensure that, wherever appropriate, physical
- 68 barriers such as locked gates are used to limit access to County-owned or
- 69 County-controlled parking lots, vacant lots, or garages consistent with the
- 70 purpose of this Section.
- 71 (g) Reporting unauthorized use. A County employee who becomes aware of
- 72 the unauthorized use of County-owned or County-controlled property
- 73 must immediately report the violation to the employee’s department
- 74 director. A reported violation must include as much information as
- 75 possible, including time, location, and a description of what was
- 76 observed. Failure to report unauthorized use of property may result in
- 77 disciplinary action.

78 **2-165. Immigration enforcement guidance for County departments.**

(a) Guidance by the County Executive. The County Executive, in consultation with the Office of the County Attorney, must create and publish immigration enforcement guidance for County staff and contractors. The guidance must:

- (1) establish an immigration enforcement action plan that provides a step-by-step process if ICE visits a County facility;
- (2) indicate the process a facility should use when designating certain areas for public or non-public use;
- (3) include model policies and sample scripts covering various scenarios involving potential ICE interaction;
- (4) explain how to distinguish between different types of warrants and civil detainers;
- (5) include policies and practices for departments to guide interactions between County staff and ICE officials, ensuring that immigration enforcement activities are carried out in the least disruptive and safest possible manner;
- (6) include measures that would limit liability exposure for County staff at County facilities; and
- (7) include recommendations for complying with existing legal obligations and limitations at County facilities while balancing public safety and accessibility at those facilities.

(b) Responsibilities of each Department. Unless otherwise required by state law, each department must:

- (1) ensure County employees and contractors are trained on the Executive's policies and guidance;
- (2) designate a supervisor or manager to serve as the designated official responsible for handling visits by ICE;

(3) provide a phone number for frontline staff to contact a designated official at any time;

(4) where applicable, identify areas that are open to the general public and post signage at the entrance that states: “Not open to the public. You do not have consent to enter for civil immigration enforcement purposes without authorization from a designated official”; and

(5) include any other department-specific measures to assist County staff in balancing the interaction with ICE.

(c) *Signage for private use.* The County Executive must develop a signage template available on the County’s website for business owners and leaseholders to use. The owner or lessee may choose to use the signage template to identify and lawfully restrict non-public areas in which they would prohibit activities related to civil immigration enforcement.

(d) *Executive regulations.* The County Executive may, under Method 3, establish regulations and standards as necessary to accomplish the purposes and intent of this Article. The regulations must be at least as stringent and consistent as this Article.

2-166. Compliance with Federal law.

No provision in this Article may be interpreted as preventing a law enforcement agent from sending or receiving information from any local, state, or Federal agency regarding the citizenship or immigration status of an individual in accordance with applicable federal or constitutional law.