

Expedited Bill No. 26-24
Concerning: Police – U visa Law Enforcement Certification Policy (The “U VISA” Act)
Revised: 1/30/25 Draft No. 4
Introduced: November 19, 2024
Enacted: February 4, 2025
Executive: _____
Effective: _____
Sunset Date: None
Ch. , Laws of Mont. Co.

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Glass, Fani-González, and Luedtke
Cosponsors: Councilmember Albornoz, Vice President Stewart, and Councilmembers Katz and Balcombe

AN EXPEDITED ACT to:

- (1) require any policy directive regarding U visa certification by a law enforcement officer to be consistent and no more restrictive than allowed under federal immigration law; and
- (2) generally amend the County law regarding policy directives related to federal immigration law.

By adding
Montgomery County Code
Chapter 35, Police
Section 35-22A

Boldface	<i>Heading or a 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. :

1 **Sec 1. Section 35-22A is added as follows:**

2 **35-22A. U visa law enforcement certification - policy directive.**

3 (a) Short title. This Section may be known and cited as the “Uplifting
4 Victims and Immigrant Safety Act” (U VISA).

5 (b) Definitions. In this Section, the following terms have the meanings
6 indicated.

7 Department means the Montgomery County Police Department.

8 Enforcement means efforts to investigate, enforce, or assist in the
9 investigation of a violation of criminal activity under state or local law.

10 U nonimmigrant status or U visa as defined in Section 1101(a)(15)(U)
11 of Title 8 of the United States Code, as amended.

12 (c) U visa policy directive – compliance with federal law. A policy
13 directive or guidance issued by the Chief of Police or designee that
14 describes the eligibility process for certifying an individual, who has
15 been identified as a victim of a qualifying crime, for the purpose of a U
16 visa petition:

17 (1) must not be more stringent than the criteria required under
18 federal immigration law; and

19 (2) must [not be inconsistent or] be consistent and not conflict with
20 the standards and regulations under state law or federal
21 immigration law.

22 (d) Nothing in this Section must be construed to prevent enforcement by
23 any member of the Department, the State’s Attorney Office, or any
24 other investigative agency.

25 **Sec 2. Expedited Effective Date.** The Council declares that this legislation is

26 necessary for the immediate protection of the public interest. This Act takes
27 effect on the date on which it becomes law.

Approved:



February 4, 2025

Kate Stewart, President, County Council

Date

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Sara R. Tenenbaum, Clerk of the Council

Date