

Climate Assessment

Office of Legislative Oversight

EXPEDITED BILL 35-25: COUNTY ADMINISTRATION – IMMIGRANT PROTECTIONS

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 35-25 will have little to no impact on the County's contribution to addressing climate change including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptive capacity, as the Bill introduces a few updates to the current trust policy, which grants protections to immigrants in the County.

While there is a link to community resilience and immigrant protection policies, the overall impact is unclear on how these policies affect immigrants' access to vital resources, such as food, affordable housing, stable employment, and healthcare, which would increase their capacity to respond to natural disasters and storms.

BACKGROUND AND PURPOSE OF EXPEDITED BILL 35-25

Throughout the U.S., many jurisdictions have adopted policies to help build trust between immigrant communities and government. Sanctuary policies, sometimes also referred to as trust policies, specifically aim to build trust by limiting the involvement of state and local jurisdictions in federal immigration enforcement. As noted by the American Immigration Council, sanctuary policies vary from jurisdiction to jurisdiction and do not have a standard definition. However, across jurisdictions, sanctuary policies typically limit government cooperation with federal immigration officials while not preventing their immigration enforcement activities.¹

In 2019, the County Executive adopted a trust policy for the County through the Promoting Community Trust Executive Order.² If enacted, Bill 35-25, the Promoting Community Trust – Immigrant Protections Act, would update some parts of the current trust policy and codify the policy into County law. As noted in the introduction staff report, Bill 35-25 is intended “to ensure that immigrant communities can engage with County departments – including public safety departments – without fear that the engagement would be used in civil immigration enforcement or in a discriminatory way.”³

Figure 1 in the Appendix describes:

- The main policy components of Bill 35-25;
- What would be required under each component if Bill 35-25 is enacted; and
- If and how Bill 35-25 would change the current trust policy.

The Council introduced Expedited Bill 35-25 on December 9, 2025.

ANTICIPATED IMPACTS

Community resilience includes housing, healthcare, infrastructure, and the well-being of community members – the more resources a community has, the better a community can respond to natural disasters and storms.⁴

Policies that protect immigrants, such as assurances County employees will not allow federal immigration enforcement officials access to County buildings or share information about a County resident's immigration status, can make County residents who are immigrants feel safer. However, it has been noted by residents and nonprofits in other jurisdictions with immigrant protection policies, that immigrants, especially those who have insecure citizenship status, still face structural barriers in accessing government services that provide basic necessary resources like food, healthcare, housing, and stable employment.⁵ This is due in part, to anti-immigrant federal policy which causes hesitation amongst immigrant communities in interacting with government at any level.⁶ Local policies that promote safety and protection for immigrants can help immigrant communities feel safer by limiting local police cooperation with federal immigration officers but overall cannot regulate federal immigrant policy nor prevent immigration enforcement from entering a jurisdiction.⁷ Instead, local policies can build trust between local governments and residents who are immigrants and aim to increase access to local resources.⁸

While immigrant protection policies aim to build trust and increase access to local resources for immigrant communities, research is unclear on the overall impact on how these policies affect immigrants' access to vital resources, such as food, affordable housing, stable employment, and healthcare, which would increase their capacity to respond to natural disasters and storms.⁹ As Bill 35-25 makes some changes to the current trust policy, which grants protections to immigrants in the County, OLO anticipates the Bill will have little to no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.¹⁰ OLO does not offer recommendations or amendments as Expedited Bill 35-25 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not

determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptive capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

APPENDIX

Figure 1. Policy Components of Expedited Bill 35-25 and Changes to Current Trust Policy

Policy Component	Requirements if Enacted	Changes to Current Trust Policy?
Inquiries about immigration status	<ul style="list-style-type: none"> County employees prohibited from inquiring about an individual's immigration status unless required by state or federal law, a judicial order, or international treaty. County employees prohibited from threats, discrimination, or intimidation based on an individual's immigration status or perceived status. 	No
County benefits	<ul style="list-style-type: none"> County employees and departments prohibited from conditioning County benefits, opportunities, or services upon immigration status, unless required to do so by applicable law or judicial order. County required to accept photo identification from an individual's country of origin or from a non-profit organization pre-approved by the Chief Administrative Officer where a Maryland-issued identification card is accepted as proof of identity. 	No
Law enforcement	<ul style="list-style-type: none"> County prohibited from arresting, stopping, or detaining individuals for federal immigration enforcement operations. For individuals who are arrested, County prohibited from contacting immigration enforcement officials about 	Yes – The current trust policy does not include guidelines for the Department of Corrections and Rehabilitation (DOCR) to communicate with immigration enforcement officials. In practice, DOCR currently notifies immigration enforcement officials of an individual's impending

Policy Component	Requirements if Enacted	Changes to Current Trust Policy?
	<p>individual except in compliance with a valid judicial warrant.</p> <ul style="list-style-type: none"> For individuals who are detained, County must release the individual as required by law and not delay their release at the administrative request of immigration enforcement officials. For individuals who are detained, County prohibited from notifying immigration enforcement officials of impending release of individual from custody unless they have been convicted of certain crimes.¹¹ If County receives administrative request from immigration enforcement officials regarding an individual in custody, County must provide a copy of request to individual within 48 hours. 	<p>release if they are charged with or convicted of certain crimes.</p> <p>The current trust policy also does not require the County to provide a copy of an administrative request from immigration enforcement officials to the individual in custody within 48 hours of receiving it.</p>
<p>Access to County buildings and facilities</p>	<ul style="list-style-type: none"> Immigration enforcement officials prohibited from accessing private spaces of sensitive locations¹², except where required by a valid judicial warrant or state law. County employees and departments prohibited from allowing immigration enforcement officials to access any portion of County building or facility that is not open to the general public. County employees and departments prohibited from allowing immigration enforcement officials to have access to a person in the 	<p>Yes – The current trust policy does not address sensitive locations, such as libraries and healthcare facilities.</p>

Policy Component	Requirements if Enacted	Changes to Current Trust Policy?
	<p>detention or custody of the department.</p> <ul style="list-style-type: none"> County employees and departments prohibited from allowing immigration enforcement officials to use County facilities, information, or equipment. 	
Intergovernmental agreements	<ul style="list-style-type: none"> County prohibited from entering into any intergovernmental agreements to detain individuals for civil immigration purposes or to otherwise participate in civil immigration enforcement. 	No
Confidentiality	<ul style="list-style-type: none"> County departments required to review applications, questionnaires, and other County forms to ensure that unnecessary questions about immigration status are deleted and that confidentiality is protected to the greatest extent permitted by law. 	No
Reporting requirements	<ul style="list-style-type: none"> County Executive required to report to Council every six months regarding the number of requests received from immigration enforcement officials and how the requests were handled. 	Yes – The current trust policy requires reporting from departments to the County Executive, and no requirement for the County Executive to report to Council

Source: [Introduction Staff Report for Expedited Bill 35-25, Montgomery County Council, pgs. 2-3](#); Comments from Council staff to OLO staff

¹ "Sanctuary Policies: An Overview," American Immigration Council, February 21, 2025.

² [Introduction Staff Report for Expedited Bill 35-25, Montgomery County Council, Introduced December 9, 2025, pg. 1.](#)

³ Ibid, pgs. 1-2.

⁴ [National Institute of Standards and Technology, "Community Resilience", Accessed 1/7/2025.](#); [Federal Emergency Management Agency, "Community Resilience: National Risk Index", Accessed 1/7/2025.](#); [Federal Emergency Management Agency, "National Resilience Guidance: A Collaborative Approach to Building Resilience", August 2024.](#)

⁵ [Houston, A. R., Salhi, C., and Lincoln A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", July 22, 2023.](#); [Bruce, B. and Crettex, L., "The Invisible Boundaries of Sanctuary Cities: Local Policies Towards Undocumented Migrants in Los Angeles During Covid-19", August 2, 2025.](#); [Nieri, T., et. al., "Sanctuary city policies and Latinx immigrant mental health in California", December 20, 2022.](#)

⁶ [Wong, T. K., et. al., "Fractured Immigration Federalism: How Dissonant Immigration Enforcement Policies Affect Undocumented Immigrants", April 3, 2019.](#); [Ortiz, R., "A Content Analysis of US Sanctuary Immigration Policies: Implications for Research in Social Determinants of Health", July 2021.](#); [Houston, A. R., Salhi, C., and Lincoln A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", July 22, 2023.](#)

⁷ [Houston, A. R., Salhi, C., and Lincoln A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", July 22, 2023.](#)

⁸ [Houston, A. R., et. al., "Challenging federal exclusion: Immigrant safety, health, and healthcare access in sanctuary cities", May 2022.](#)

⁹ [Houston, A. R., Salhi, C., and Lincoln A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", July 22, 2023.](#); [Fabi, R. and Cervantes, L., "Undocumented Immigrants and COVID-19: A Call for Federally Funded Health Care", September 3, 2021.](#); [Kaiser Family Foundation., "5 Key Facts About Immigrants and Medicaid", February 19, 2025.](#); [Kaiser Family Foundation, "Understanding the U.S. Immigrant Experience: The 2023 KFF/LA Times Survey of Immigrants", September 17, 2023.](#)

¹⁰ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022

¹¹ Expedited Bill 35-25 would allow the County to inform immigration enforcement officials of the impending release of an individual from custody no earlier than 36 hours before their release if they have been convicted of certain crimes. These include crimes of violence under [Section 14-101 of the Criminal Law Article of the Maryland Code](#), drug kingpin, organization or supervision of criminal organization, homicide by motor vehicle or vessel while under the influence of alcohol, and others. Refer to Expedited Bill 35-25, Introduction Staff Report for Expedited Bill 35-25, pgs. 10-11.

¹² Per state law, sensitive locations include public schools, public libraries, government-operated health care facilities, facilities operated by the comptroller, and courthouses. Refer to ["Immigration Guidance for Facilities that Serve the Public: Implementation of HB 1222," Maryland Office of the Attorney General, July 2025, pg. 3.](#)