

# HOUSE . . . . . No. 5305

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 24, 2026.

The committee on Ways and Means, to whom was referred the Bill promoting rule of law, oversight, trust, and equal constitutional treatment ("The PROTECT Act") (House, No. 5293), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 5305).

For the committee,

AARON MICHLEWITZ.

**HOUSE . . . . . No. 5305**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act promoting rule of law, oversight, trust and equal constitutional treatment.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 6 of the General Laws is hereby amended by adding the following  
2   3 sections:-

3           Section 223. For the purposes of this section and sections 224 and 225, the following  
4   words shall, unless the context clearly requires otherwise, have the following meanings:

5           “Civil immigration enforcement”, any and all efforts to investigate, enforce or assist in  
6   the investigation or enforcement of any federal civil immigration law.

7           “Judicial warrant” or “judicial order”, an arrest warrant or other judicial order, issued by  
8   a judge or magistrate sitting in the judicial branch of a local or state government or of the federal  
9   government, authorizing an arrest.

10          “Law enforcement agency”, (i) a state, county, municipal or district law enforcement  
11   agency, including, but not limited to: (a) a city, town or district police department; (b) the office  
12   of environmental law enforcement; (c) the University of Massachusetts police department; (d)

13 the department of the state police; (e) the Massachusetts Port Authority police department, also  
14 known as the Port of Boston Authority police department; and (f) the Massachusetts Bay  
15 Transportation Authority police department; (ii) a sheriff’s department in its performance of  
16 police duties and functions; (iii) a public or private college, university or other educational  
17 institution or hospital police department; (iv) a federal law enforcement agency; or (v) a humane  
18 society police department in section 57 of chapter 22C.

19 “Law enforcement officer”, (i) any officer of a law enforcement agency, including the  
20 head of the law enforcement agency; (ii) a special state police officer appointed pursuant to  
21 section 57, section 58 or section 63 of chapter 22C; (iii) a special sheriff appointed pursuant to  
22 section 4 of chapter 37 performing police duties and functions; (iv) a deputy sheriff appointed  
23 pursuant to section 3 of said chapter 37 performing police duties and functions; (v) a constable  
24 executing an arrest for any reason; or (vi) any other special, reserve or intermittent police officer.

25 “Person”, a resident of, or visitor to, the commonwealth regardless of immigration status.

26 “Private entity”, (i) a private organization employing, enrolling or admitting to  
27 membership 10 or more people; or (ii) any private organization receiving state funds.

28 “State agency”, (i) any department, board, commission, division or authority of the state  
29 government or subdivision of any of the foregoing, or official of the state government,  
30 authorized by law to make regulations or to conduct adjudicatory proceedings; (ii) the general  
31 court and any special legislative commission created by the general court; and (iii) any quasi-  
32 state agency.

33 “State entity”, any land, building, or part thereof, owned, leased, occupied, controlled by  
34 or used for business by the commonwealth, except for state courthouses.

35           Section 224. (a) Except as required by state or federal law or as required to administer a  
36 state or federally supported or funded program, the governor may prohibit, or otherwise limit, in  
37 nonpublic areas of any state entity, civil immigration enforcement activities.

38           (b) The governor shall direct the executive office of administration and finance, pursuant  
39 to chapter 30A, to promulgate rules or regulations necessary for the administration and  
40 enforcement of this section; provided, however, that the rules or regulations may identify state  
41 entities requiring prioritization to minimize violations of people’s civil rights related to civil  
42 immigration enforcement.

43           Section 225. (a) The governor, in consultation with the attorney general, shall publish  
44 multilingual guidelines for all state agencies and private entities on how to handle interactions  
45 with law enforcement officers involved in civil immigration enforcement. The multilingual  
46 guidelines shall include, but shall not be limited to, guidance on:

47           (i) designating a contact person or persons to be notified of the presence of, or  
48 information requests from, law enforcement agents engaged in civil immigration enforcement;

49           (ii) verifying the identity and authority of any law enforcement officer engaged in civil  
50 immigration enforcement;

51           (iii) verifying the validity of any judicial warrant or judicial order provided;

52           (iv) documenting and maintaining records of all interactions with law enforcement agents  
53 engaged in civil immigration enforcement; and

54           (v) informing all persons how to respond to requests relating to civil immigration  
55 enforcement.

56 (b) The governor, in consultation with the attorney general, shall publish multilingual  
57 guidelines for all law enforcement agencies on how to handle interactions between law  
58 enforcement officers and people regarding civil immigration enforcement. The multilingual  
59 guidelines shall include, but shall not be limited to, guidance on:

60 (i) the duties and responsibilities of law enforcement agencies and law enforcement  
61 officers related to civil immigration enforcement;

62 (ii) reporting on activities of law enforcement officers involved in civil immigration  
63 enforcement that are conducted in the presence of local and state law enforcement; and

64 (iii) providing any report of activities of law enforcement officers involved in civil  
65 immigration enforcement to the attorney general for review and enforcement.

66 (c) The governor, in consultation with the attorney general, shall publish multilingual  
67 guidelines explaining individual civil rights related to federal immigration enforcement,  
68 including, but not limited to, guidelines on how people can contact legal services related to civil  
69 immigration enforcement.

70 (d) The governor shall post the published guidelines pursuant to this section prominently  
71 on the commonwealth's website.

72 SECTION 2. Chapter 127 of the General Laws is hereby amended by inserting after  
73 section 87A the following section:-

74 Section 87B. (a) As used in this section, the following words shall, unless the context  
75 clearly requires otherwise, have the following meanings:

76 “Competent interpreter services”, as defined in subsection (a) of section 25J of chapter  
77 111.

78 “County correctional facility”, as defined in section 1 of chapter 125.

79 “Facility”, any state correctional facility, state prison, county correctional facility, house  
80 of correction or prerelease center, that houses detained individuals. “Facility” shall not include  
81 courthouses.

82 “State correctional facility”, as defined in section 1 of chapter 125.

83 (b) This section shall apply to any facility.

84 (c) Upon intake, each facility shall provide each detained individual with the following  
85 written notices, in the individual’s primary language: (i) notice of the right to legal counsel; (ii)  
86 notice of the right to decline interviews by state or federal law enforcement or consular officials;  
87 (iii) instructions for contacting legal counsel and legal services; and (iv) the procedures for  
88 confidential legal communications and grievance review.

89 (d)(1) Each facility shall ensure confidential, unmonitored attorney-client telephone  
90 communications.

91 (2) Each facility shall provide a verified legal counsel phone line allowing the legal  
92 counsel of record to complete not less than 1 confidential inbound call per day with the detained  
93 individual; provided, however, that if direct inbound calling is technologically infeasible for a  
94 facility, the facility shall provide a system for the legal counsel of record to request a confidential  
95 callback that shall occur not later than 24 hours after the request by the legal counsel of record.

96 (e)(1) Each facility shall maintain a record identifying each individual detained in the  
97 facility that shall include, but shall not be limited to: (i) confirmation of custody of the detained  
98 individual in the facility; (ii) contact-routing information sufficient for legal counsel and a person  
99 designated by the detained individual pursuant to clause (ii) of paragraph (2) to maintain contact  
100 with the detained individual; and (iii) a facility procedure for legal communications and general  
101 inquiries. The record shall be updated not later than 6 hours after intake into the facility and not  
102 later than 6 hours after any transfer out of the facility.

103 (2) A facility shall provide the record to: (i) the legal counsel of record; and (ii) a person  
104 designated, orally or in writing, by the detained individual at intake and recorded in the intake  
105 record.

106 (f) Not later than 6 hours after any transfer of a detained individual, to or from the  
107 facility, each facility shall make reasonable efforts to notify the legal counsel of record and any  
108 designated contact recorded pursuant to clause (ii) of paragraph (2) of subsection (e), including,  
109 but not limited to, the name of the receiving facility and instructions for locating the individual.

110 (g) The facility shall provide competent interpreter services for any: (i) intake materials  
111 pursuant to subsection (c); (ii) medical related interactions; (iii) mental and behavioral health  
112 related interactions; (iv) disciplinary related interactions; (v) legal-access related interactions;  
113 and (vi) grievance related interactions.

114 (h)(1) No facility shall impede a detained individual's reasonable access to legal counsel  
115 or any required proceedings.

116 (2) Each facility shall provide transportation or functional remote access to mandatory  
117 government appointments or any other court proceedings.

118 (i)(1) Each facility shall provide a public phone number for a caller to obtain  
119 confirmation of whether an individual is detained at a facility and shall provide information on  
120 how a caller may obtain contact instructions; provided, that the facility may require the caller to  
121 provide the individual's full name, date of birth and additional identifying information, as  
122 necessary, to resolve multiple matches.

123 (2) Each facility shall limit disclosure to the minimum information necessary to locate  
124 and contact the detained individual.

125 (3) Each facility shall maintain audit logs of access attempts and disclosures for not less  
126 than 1 year.

127 (4) Each facility shall implement reasonable identity verification, auditing and privacy  
128 safeguards.

129 (5) Each facility shall adopt written policies for identity verification and access control.

130 (j) The secretary of public safety and security, in consultation with the attorney general,  
131 shall promulgate regulations establishing minimum compliance standards and requirements for  
132 written policies at each facility.

133 (k)(1) The attorney general may enforce this section by a civil action brought in the  
134 superior court for declaratory, injunctive and other equitable relief to compel compliance or  
135 prevent violations.

136 (2) In an action brought under this section, the court may issue emergency, long-term and  
137 permanent orders, including, but not limited to: (i) an order requiring immediate compliance with

138 a statutory duty; (ii) an order prohibiting conduct that violates this section; (iii) a compliance  
139 plan with deadlines; and (iv) reasonable monitoring and periodic reporting to the court.

140 (3) Nothing in this section shall be construed to create a private right of action; provided,  
141 however, that nothing herein shall limit any remedy otherwise available under law.

142 SECTION 3. Chapter 147 of the General Laws is hereby amended by adding the  
143 following section:-

144 Section 64. (a) As used in this section, the following words shall, unless the context  
145 clearly requires otherwise, have the following meanings:

146 “Articulable, case-specific reason”, necessary to prove an element of a criminal offense  
147 that is specific to the facts of that case and documented in the applicable incident report or case  
148 file.

149 “Civil immigration process”, any civil immigration detainer request, administrative  
150 warrant, notice to appear, removal order or other civil immigration document not issued by a  
151 judge of a court of competent jurisdiction upon a finding of probable cause.

152 “Federal immigration authority”, the United States Department of Homeland Security,  
153 U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection or any  
154 successor entity, and any person acting on their behalf.

155 “Law enforcement agency”, as defined in section 1 of chapter 6E.

156 “Law enforcement officer”, as defined in section 1 of chapter 6E.

157 “Nonpublic personal information”, information not otherwise available to the public that  
158 is maintained by a law enforcement agency or political subdivision.

159 (b)(1) For purposes of this subsection, a person’s immigration or citizenship status shall  
160 be deemed directly material only when necessary to establish an element of a specific criminal  
161 offense under the laws of the commonwealth and shall not be deemed directly material for  
162 assessing credibility, cooperation or for general information gathering.

163 (2) No law enforcement officer or employee of a law enforcement agency shall:

164 (i) except as required by federal or state law, or pursuant to a judicial warrant, court order  
165 or treaty, inquire about the immigration or citizenship status of any person; provided, however,  
166 that a law enforcement officer may make such inquiry only when the officer has an articulable,  
167 case-specific reason to believe the person’s immigration or citizenship status is directly material  
168 to an element of a specific criminal offense under the laws of the commonwealth being  
169 investigated and the officer documents that reason in the incident report or case file;

170 (ii) record or maintain immigration or citizenship status information except as required by  
171 federal, state law, treaty or as documented pursuant to clause (i);

172 (iii) except as required by federal or state law, or pursuant to a judicial warrant, court  
173 order or treaty, use state or local resources for a federal civil immigration enforcement action; or

174 (iv) except as required by federal or state law, or pursuant to a judicial warrant, court  
175 order or treaty, initiate contact with any federal authority to: (A) provide nonpublic personal  
176 information to a federal immigration authority; or (B) provide advance notice of a person’s

177 release date; provided, however, that the release date of a person's completed sentence may be  
178 provided.

179 (c)(1) No law enforcement agency or political subdivision of the commonwealth shall  
180 execute, renew or materially expand a memorandum of agreement under section 287(g) of the  
181 federal Immigration and Nationality Act or any substantially similar agreement or arrangement  
182 that deputizes state or local law enforcement officers or personnel to perform civil immigration  
183 enforcement functions; provided, however, that the department of correction may maintain the  
184 memorandum of agreement under section 287(g) of the federal Immigration and Nationality Act  
185 8 U.S.C. § 1357 in effect as of June 8, 2020; and provided further, that the department of  
186 correction shall apply to the executive office of public safety and security to renew or materially  
187 expand a memorandum of agreement under section 287(g) of the federal Immigration and  
188 Nationality Act 8 U.S.C. § 1357 or any substantially similar agreement or arrangement that  
189 deputizes state or local law enforcement officers or personnel to perform civil immigration  
190 enforcement functions or to execute any new agreements.

191 (2) Notwithstanding paragraph (1), a law enforcement agency may apply to the secretary  
192 of public safety and security for a time-limited agreement not greater than 12 months, pursuant to  
193 section 287(g) of the federal Immigration and Nationality Act 8 U.S.C. § 1357; provided, that the  
194 agreement shall be restricted solely to criminal public safety purposes and shall not authorize  
195 civil immigration enforcement; provided further, that: (i) the agreement shall be limited to  
196 cooperation in the execution of criminal warrants or criminal process issued by a court of  
197 competent jurisdiction; (ii) the application shall demonstrate an articulable, imminent public  
198 safety interest; (iii) the secretary of public safety and security shall issue a written determination  
199 after public notice and comment and consultation with the attorney general; (iv) the attorney

200 general shall prepare and publish, contemporaneously with the secretary's written determination,  
201 a written legal analysis assessing compliance with this subsection and identifying material legal  
202 risks, including potential federal preemption or intergovernmental immunity concerns; (v) any  
203 approval of an application shall sunset not later than 12 months after issuance; provided, that no  
204 application shall be automatically renewed; and provided further, that a law enforcement agency  
205 may submit a new application pursuant to this paragraph for an additional 12 months; and (vi) the  
206 law enforcement agency shall file quarterly public reports, available on the law enforcement  
207 agency's website, describing implementation, excluding personally identifying information.

208 (d) Nothing in this section shall be construed to: (i) prohibit or restrict sending to, or  
209 receiving from, federal immigration authorities information regarding an individual's citizenship  
210 or immigration status as described in 8 U.S.C. § 1373 or 8 U.S.C. § 1644; or (ii) limit  
211 cooperation with federal authorities in the investigation or prosecution of criminal offenses,  
212 including compliance with judicial warrants, subpoenas or court orders.

213 (e)(1) The attorney general may enforce this section by a civil action brought in the  
214 superior court for declaratory, injunctive and other equitable relief to compel compliance or  
215 prevent violations.

216 (2) In an action under this section, the court may issue emergency, long-term and  
217 permanent orders, including, but not limited to: (i) an order requiring immediate compliance with  
218 a statutory duty; (ii) an order prohibiting conduct that violates this section; (iii) a compliance  
219 plan with deadlines; and (iv) reasonable monitoring and periodic reporting to the court.

220 (3) Nothing in this section shall be construed to create a private right of action; provided,  
221 however, that nothing herein shall limit any remedy otherwise available under law.

222 SECTION 4. Section 19C of chapter 149 of the General Laws, as appearing in the 2024  
223 Official Edition, is hereby amended by inserting after the second paragraph the following  
224 paragraph:-

225 Except as required by federal law, not later than 48 hours after receiving a notice of  
226 inspection by U.S. Immigration and Customs Enforcement for I-9 employment eligibility  
227 verification forms or other employment records, each employer shall provide written notice to  
228 each employee of any such request.

229 SECTION 5. The General Laws are hereby further amended by inserting after chapter  
230 221C the following chapter:-

231 Chapter 221D

232 CIVIL ARRESTS IN COURTS

233 Section 1. As used in this chapter, the following words shall, unless the context clearly  
234 requires otherwise, have the following meanings:

235 “Civil arrest”, an arrest that is not: (i) for the purpose of preparing the person subject to  
236 such arrest for criminal prosecution for an alleged violation of the criminal law of: (A) the  
237 commonwealth or another jurisdiction within the United States, for which a sentence of a term of  
238 imprisonment is authorized by law; or (B) the United States, for which a sentence of a term of  
239 imprisonment is authorized by law and for which federal law requires an initial appearance  
240 before a federal judge, federal magistrate or other judicial officer pursuant to the federal rules of  
241 criminal procedure that govern initial appearances; (ii) for contempt of court; (iii) for a capias  
242 issued by a judge of the commonwealth; (iv) for a parole warrant issued under section 149A of

243 chapter 127 or a probation warrant issued under section 3 of chapter 279; (v) for a governor’s  
244 warrant of arrest issued under section 16 of chapter 276; or (vi) related to an application for  
245 commitment under section 12 of chapter 123.

246 “Courthouse”, the interior of any facility or property in which a court of the  
247 commonwealth conducts business.

248 “Judicial warrant” or “judicial order”, an arrest warrant or other judicial order, issued by  
249 a judge or magistrate sitting in the judicial branch of a local or state government or of the federal  
250 government, authorizing an arrest.

251 “Law enforcement agency”, (i) a state, county, municipal or district law enforcement  
252 agency, including, but not limited to: a city, town or district police department, the office of  
253 environmental law enforcement, the University of Massachusetts police department, the  
254 department of the state police, the Massachusetts Port Authority police department, also known  
255 as the Port of Boston Authority police department, and the Massachusetts Bay Transportation  
256 Authority police department; (ii) a sheriff’s department in its performance of police duties and  
257 functions; (iii) a public or private college, university or other educational institution or hospital  
258 police department; (iv) a federal law enforcement agency; or (v) a humane society police  
259 department in section 57 of chapter 22C.

260 “Law enforcement officer”, any officer of a law enforcement agency, including the head  
261 of the agency; a special state police officer appointed pursuant to section 57, section 58 or  
262 section 63 of chapter 22C; a special sheriff appointed pursuant to section 4 of chapter 37  
263 performing police duties and functions; a deputy sheriff appointed pursuant to section 3 of said

264 chapter 37 performing police duties and functions; a constable executing an arrest for any reason;  
265 or any other special, reserve or intermittent police officer.

266 Section 2. (a) No law enforcement officer or other employee or representative of a law  
267 enforcement agency shall make a civil arrest of an individual present at a courthouse unless such  
268 law enforcement officer, employee or representative: (i) is acting in their official capacity; and  
269 (ii) has provided documentation to a designated judge, justice or judicial magistrate sitting in the  
270 courthouse demonstrating that the individual to be arrested is the subject of a judicial warrant or  
271 judicial order authorizing civil arrest. The designated judicial official shall promptly review such  
272 documentation.

273 (b) Except in extraordinary circumstances, as determined by the designated judicial  
274 official, a civil arrest shall not be made by a law enforcement officer or other representative of a  
275 law enforcement agency in a courtroom.

276 Section 3. (a) Copies of all warrants and orders authorizing arrest and provided to court  
277 personnel pursuant to this chapter shall be maintained by the chief justice of the trial court.

278 (b) Annually, not later than July 1, the trial court shall prepare, publish on the court's  
279 website and provide to the governor, the speaker of the house of representatives, the president of  
280 the senate, the clerks of the house and senate, the chairs of the joint committee on public safety  
281 and homeland security and the chairs of the joint committee on the judiciary a report containing  
282 information on the warrants and judicial orders received by each local and state court of the  
283 commonwealth pursuant to this chapter in the past year. The report shall include, but shall not be  
284 limited to: (i) the date each judicial warrant or judicial order was signed; (ii) the name of the  
285 judge who issued the judicial warrant or judicial order; (iii) the name and location of the court

286 that issued the judicial warrant or judicial order, as shown by such judicial warrant or judicial  
287 order; (iv) the date the judicial warrant or judicial order was presented to the court; (v) a  
288 description of the type of judicial warrant or judicial order; and (vi) if known, whether or not an  
289 arrest occurred with respect to such warrant and the date and location of such arrest.

290 Section 4. An arrest or detention in violation of this chapter shall constitute false  
291 imprisonment; provided, however, that nothing in this chapter shall affect any right or defense  
292 available to a person, law enforcement officer, public officer or court employee acting lawfully  
293 and in accordance with duties pursuant to section 70A of chapter 221.

294 Section 5. (a)(1) The attorney general may enforce this chapter by a civil action brought  
295 in the superior court for declaratory, injunctive or other equitable relief.

296 (2) In an action under this chapter, the court may issue relief, including, but not limited  
297 to, emergency, long-term and permanent orders, including, but not limited to: (i) an order  
298 requiring immediate compliance with a statutory duty; (ii) an order prohibiting conduct that  
299 violates this section; (iii) a compliance plan with deadlines; and (iv) reasonable monitoring and  
300 periodic reporting to the court.

301 (b) Nothing in this chapter shall be construed to create a private right of action; provided,  
302 however, that nothing herein shall limit any remedy otherwise available under law; and provided  
303 further, that an individual may apply for a writ of habeas corpus if the individual has reasonable  
304 cause to believe a violation of this chapter has occurred.

305 Section 6. Nothing in this chapter shall be construed to narrow or abrogate rights or  
306 privileges against civil arrest that exist under the common law.

307 Section 7. No action may be commenced pursuant to this chapter against the judicial  
308 branch or any officer or employee of the judicial branch acting lawfully and in good faith,  
309 pursuant to such officer's or employee's official duties and in accordance with this chapter and  
310 other applicable laws and regulations.

311 Section 8. Nothing in this chapter shall be interpreted to require any person, including  
312 any law enforcement officer, court employee or court officer, to interfere with or assist the  
313 actions of a federal official engaged in civil immigration enforcement. Nothing in this chapter  
314 shall be interpreted to confer upon any law enforcement officer the authority, obligation or  
315 responsibility to enforce, interpret, supervise, assess compliance with or prevent conduct  
316 governed by this chapter.

317 Section 9. The chief justice of the trial court may issue rules and notices to implement  
318 this chapter; provided, however, that the protections of this chapter shall apply regardless of  
319 whether the trial court implements rules or notices.

320 SECTION 6. The General Laws are hereby further amended by striking out chapter 258F  
321 and inserting in place thereof the following chapter:-

322 Chapter 258F

323 CERTIFICATION FOR VICTIMS OF CRIMINAL ACTIVITY AND HUMAN  
324 TRAFFICKING

325 Section 1. As used in this chapter, the following words shall, unless the context clearly  
326 requires otherwise, have the following meanings:

327 “Certifying entity”, any law enforcement agency, any district attorney and the attorney  
328 general.

329 “Helpful” or “helpfulness”, as described in 8 U.S.C. § 1101 or any related guidance and  
330 required on the applicable federal certification form; provided, that “helpfulness” shall include  
331 being helpful in the past, currently being helpful or being likely to be helpful.

332 “Qualifying criminal activity”, (i) criminal activity described in 8 U.S.C. §  
333 1101(a)(15)(U)(iii) and severe forms of trafficking in persons described in 8 U.S.C. §  
334 1101(a)(15)(T); and (ii) any offense under the laws of the commonwealth or a political  
335 subdivision thereof that is substantially similar.

336 Section 2. A certifying entity may certify a request of a victim of qualifying criminal  
337 activity who intends to petition for a nonimmigrant visa under 8 U.S.C. § 1101(a)(15)(U) or from  
338 a victim of severe forms of trafficking in persons who intends to petition for a nonimmigrant visa  
339 under 8 U.S.C. § 1101(a)(15)(T), pursuant to this chapter. For purposes of determining whether a  
340 person is a victim of qualifying criminal activity for certification, a certifying entity shall not  
341 require the filing of criminal charges or a conviction. For purposes of certification decisions  
342 under this chapter, allegations of wage theft, workplace safety violations, housing violations or  
343 labor exploitation accompanied by threats of deportation, intimidation or retaliation may  
344 constitute qualifying criminal activity where the alleged conduct is reasonably consistent with  
345 extortion, coercion, involuntary servitude, peonage, obstruction of justice, witness intimidation  
346 or other substantially similar offenses under state or federal law.

347 Section 3. Each certifying entity shall adopt, publish and maintain a written certification  
348 policy consistent with this chapter and the regulations promulgated pursuant to section 6. The

349 policy shall include, but shall not be limited to: (i) identification of a designated certifying  
350 official within the certifying entity and an alternate; (ii) a description of how requests may be  
351 submitted, which shall include, but not be limited to, by email, through legal counsel or through  
352 an authorized advocate; (iii) objective criteria used to assess whether a person is a victim who  
353 meets the requirements for helpfulness consistent with federal certification forms; (iv) a  
354 prohibition of consideration of the applicant's immigration admissibility or eligibility beyond the  
355 determinations required by the federal certification form; (v) a prohibition of any fee; and (vi) a  
356 description of the certifying entity's internal review process for denials.

357 Section 4. (a) Not later than 45 days after receiving the request, a certifying entity shall  
358 respond to a certification request from a victim of qualifying criminal activity who intends to  
359 petition for a nonimmigrant visa under 8 U.S.C. § 1101(a)(15)(U) or from a victim of severe  
360 forms of trafficking in persons who intends to petition for a nonimmigrant visa under 8 U.S.C. §  
361 1101(a)(15)(T).

362 (b) If the applicant, or the applicant's counsel or advocate, certifies that the applicant is in  
363 federal removal proceedings or has a scheduled immigration court hearing within 45 days, the  
364 certifying entity shall respond not later than 14 business days after receiving the request;  
365 provided, however, that if extraordinary circumstances outside of the certifying entity's control  
366 prevent the certifying entity from responding within 14 business days after receiving the request,  
367 the certifying entity shall provide a written explanation of the delay to the applicant, or the  
368 applicant's counsel or advocate, which shall include a projected response date.

369 (c) The certifying entity shall respond by: (i) completing and signing the applicable  
370 federal certification form; (ii) issuing a written denial without prejudice that states the specific

371 reasons the request does not meet the requirements of the entity's policy under section 3 and  
372 identifies the internal review process; or (iii) issuing a written explanation of delay as provided  
373 in subsection (b).

374           Section 5. (a) A certifying entity shall establish a rebuttable presumption of helpfulness  
375 for any victim who timely reports qualifying criminal activity and is willing to be helpful or  
376 provide information in a manner reasonably requested by the certifying entity. A certifying entity  
377 shall not deny a request solely because: (i) no arrest was made; (ii) the case was closed; (iii) the  
378 victim has a criminal record unrelated to the qualifying criminal activity; or (iv) the victim chose  
379 to exercise constitutional rights.

380           (b) No state or local employee shall report or threaten to report an individual to federal  
381 immigration authorities in retaliation for seeking certification, reporting a crime, participating in  
382 an investigation, filing a labor or civil rights complaint or cooperating with a proceeding.

383           Section 6. (a) The secretary of public safety and security, in consultation with the  
384 attorney general, may promulgate regulations to implement this chapter, including, but not  
385 limited to: (i) minimum standards for internal review processes, training and data reporting under  
386 this chapter; and (ii) allowing any executive branch agency or its political subdivision to  
387 facilitate the submission of an application for certification pursuant to this chapter.

388           (b) Annually, each certifying entity shall report to the secretary of public safety and  
389 security aggregate data sufficient to evaluate compliance, including request volume, response  
390 times, approvals, denials and reasons for denial, in a manner that protects confidentiality.

391           Section 7. Notwithstanding subsection (b) of section 64 of chapter 147, a law  
392 enforcement agency may inquire into the immigration or citizenship status of a victim of a crime,  
393 witness or person seeking assistance, in accordance with this chapter.

394           SECTION 7. Section 58 of chapter 276 of the General Laws, as appearing in the 2024  
395 Official Edition, is hereby amended by inserting after the word “community”, in line 31, the  
396 following words:- , the likelihood of imminent deportation.

397           SECTION 8. Not later than 190 days of the effective date of this act, the rules or  
398 regulations required by section 224 of chapter 6 of the General Laws, inserted by section 1, shall  
399 be published and posted on the commonwealth’s website; provided, however, that within 30 days  
400 of the effective date of this act, the governor shall direct the executive office of administration  
401 and finance to publish temporary guidelines pending publication of the final rules or regulations  
402 required by subsection (b) of said section 224 of said chapter 6; and provided further, that the  
403 governor may direct the executive office of administration and finance to publish emergency  
404 regulations pursuant to chapter 30A of the General Laws pending publication of the final rules or  
405 regulations required by said subsection (b) of said section 224 of said chapter 6.

406           SECTION 9. Not later than 190 days of the effective date of this act, the guidelines  
407 required pursuant to section 225 of chapter 6 of the General Laws, inserted by section 1, shall be  
408 published and posted to the commonwealth’s website.

409           SECTION 10. Sections 2, 5, and 6 shall take effect 90 days after the effective date of this  
410 act.

411           SECTION 11. Section 3 shall take effect 180 days after the effective date of this act.