# HOUSE . . . . . . . . . . . . . . . No. 5620

## The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3086) of the House Bill promoting rule of law, oversight, trust and equal constitutional treatment (House, No. 5316), reports recommending passage of the accompanying bill (House, No. 5620). July 29, 2026.

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FILED ON: 7/29/2026

# HOUSE . . . . . . . . . . . . . . . No. 5620

## 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.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to promote rule of law, oversight, trust and equal constitutional treatment, and to ensure the right of access to and protection in courts of justice, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

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

SECTION 1. Chapter 6 of the General Laws is hereby amended by adding the following 4 sections:-

Section 224. For the purposes of this section and sections 225 and 226, the following words shall have the following meanings unless the context clearly requires otherwise:

"Civil immigration enforcement", efforts to investigate, enforce or assist in the investigation or enforcement of civil law, including, but not limited to, any federal civil immigration law.

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

"Law enforcement agency", (i) a state, county, municipal or district law enforcement agency, including, but not limited to: (A) a city, town or district police department; (B) the office of environmental law enforcement; (C) the University of Massachusetts police department; (D) the department of the state police; (E) the Massachusetts Port Authority police department, also known as the Port of Boston Authority police department; and (F) the Massachusetts Bay Transportation Authority police department; (ii) a sheriff's department in its performance of police duties and functions; (iii) a public or private college, university or other educational institution or hospital police department; (iv) a federal law enforcement agency; or (v) a humane society police department in section 57 of chapter 22C.

"Law enforcement officer", (i) any officer of a law enforcement agency, including, but not limited to, the head of the law enforcement agency; (ii) a special state police officer appointed pursuant to section 57, section 58 or section 63 of chapter 22C; (iii) a special sheriff appointed pursuant to section 4 of chapter 37 performing police duties and functions; (iv) a deputy sheriff appointed pursuant to section 3 of said chapter 37 performing police duties and functions; (v) a constable executing an arrest for any reason; or (vi) any other special, reserve or intermittent police officer.

"Person", a resident of, or visitor to, the commonwealth regardless of immigration status.

"Private entity", (i) a private organization employing, enrolling or admitting to membership not less than 10 people; or (ii) any private organization receiving state funds.

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

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

Section 225. (a) Except as required by state or federal law or as required to administer a state or federally supported or funded program, the governor may prohibit, or otherwise limit, in nonpublic areas of any state entity, civil immigration enforcement activities.

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

Section 226. (a) The governor, in consultation with the attorney general, shall publish multilingual guidelines for all state agencies and private entities on how to handle interactions with law enforcement officers involved in civil immigration enforcement. The multilingual guidelines shall include, but shall not be limited to, guidance on:

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

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

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

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

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

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

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

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

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

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

(d) The governor, in consultation with the attorney general, shall publish multilingual guidelines for all school districts, as defined in section 2 of chapter 70, on how to handle interactions with law enforcement officers regarding civil immigration enforcement. The multilingual guidelines shall include, but shall not be limited to, guidance on:

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

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

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

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

(v) informing all persons how to respond to requests relating to civil immigration enforcement; and

(vi) any other information the governor and the attorney general deems relevant for school districts.

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

Section 227. The governor may refer to the attorney general acts prohibited by 18 U.S.C. § 592 or 18 U.S.C. § 593 by a federal, state or local officer, which shall be a civil violation of state law unless otherwise authorized by law. The attorney general shall have exclusive authority to enforce this section. The attorney general may, regardless of whether the governor has made a referral, bring a civil action for declaratory, injunctive or other appropriate equitable relief to compel compliance or prevent violations.

SECTION 2. Chapter 12 of the General Laws is hereby amended by inserting after section 11I 3/4 the following section:-

Section 11I 5/6. (a) Every person who, under color of any statute, ordinance, regulation, custom or usage of any state, territory, the District of Columbia or the United States, subjects or causes to be subjected any citizen of the commonwealth or other person within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the Constitution of the United States, shall be liable to the party injured in an action at law, suit in equity or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated for declaratory relief was unavailable.

(b) Any defense under 42 U.S.C. § 1983, including a defense of qualified immunity, available to a defendant alleged to have acted under the color of any state or municipal law, shall likewise and to the same extent be available in defense of an action brought under subsection (a).

(c) Any aggrieved person who prevails in an action authorized by subsection (a) shall be entitled to an award of the costs of the litigation and reasonable attorneys' fees in an amount to be fixed by the court, to the same extent as provided for by 42 U.S.C. § 1988.

(d) Any aggrieved person who brings a claim under subsection (a) shall, at the time of filing said claim, provide written notice to the attorney general and certify to the court where said claim is filed that such notice has been provided.

SECTION 3. Chapter 15D of the General Laws is hereby amended by adding the following section:-

Section 23. (a) For the purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:

“Civil law enforcement”, efforts to investigate, enforce or assist in the investigation or enforcement of civil law, including, but not limited to, any federal civil immigration law.

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

“Premises”, the private residence or the facility that is licensed or funded by the department for the early education and care of children, for the school-aged education and care of children, or for group care, including the outdoor space on which the residence or facility is located.

(b) Except as required by state or federal law or as required for the commonwealth or any of its subdivisions to administer a state or federally supported or funded program, arrests for of civil law enforcement shall not be permitted on the premises of a licensed or department-funded child care center, family child care home, school-aged child care program or group care facility without a judicial warrant or judicial order.

(c) Each licensed or department-funded child care center, family child care home, school aged child care program and group care facility shall adopt and implement a policy regarding interactions with law enforcement agents engaged in civil law enforcement, which shall include, but not be limited to: (i) the designation of a contact person to be notified of the presence of or information requests from law enforcement agents engaged in civil law enforcement; (ii) procedures for documenting all interactions with law enforcement agents engaged in civil law enforcement; and (iii) procedures for informing the director and program staff of the licensed or department-funded child care center, the provider and staff of a family child care home or the site coordinator or administrator and staff of a school-aged child care program to follow when responding to requests relating to civil law enforcement.

(d) The department shall, in consultation with the attorney general and organizations that represent employees and management of licensed or department-funded child care providers, prepare and publish on its website model policies consistent with the requirements of this section. The department shall, in consultation with the attorney general, prepare and publish a model training for informing directors and program staff of licensed or department-funded child care centers and family child care home providers, school-aged child care program site coordinators and administrators and staff of group care facilities on how to respond to requests relating to civil law enforcement.

(e) The requirements of subsections (b) and (c) shall apply regardless of whether a licensed or department-funded child care center, family child care home, school-aged child care program or group care facility has adopted the policy required by said subsection (c).

(f) An individual aggrieved by a violation of this section may apply for a writ of habeas corpus if such person has reasonable cause to believe that a civil arrest in violation of this section has occurred. The attorney general may bring a suit in law or equity for civil arrests in violation of this section.

(g) Nothing in this section shall require a state or local law enforcement officer to interfere with or assist the actions of a federal official engaged in civil immigration enforcement. Nothing in this section shall confer upon any state or local law enforcement officer the authority, obligation or responsibility to enforce, interpret, supervise, assess compliance with or prevent conduct governed by this section.

SECTION 4. Chapter 71 of the General Laws is hereby amended by adding the following section:-

Section 102. (a) For the purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:

“Charter school”, commonwealth charter schools and Horace Mann charter schools established pursuant to section 89.

“Civil law enforcement”, efforts to investigate, enforce or assist in the investigation or enforcement of any civil law, including, but not limited to, federal civil immigration law.

“Collaborative school”, a school operated by an education collaborative established pursuant to section 4E of chapter 40.

“Department”, the department of elementary and secondary education.

“Grounds”, any building or property owned or controlled by a school or school district within the same reasonably proximate geographic area of the school and used by the school in direct support of or in a manner related to the school’s educational or athletic purposes.

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

“School”, a school administered by the school department of a city, town or regional school district, a county agricultural school, an independent vocational school or a vocational school operated by a county, a Charter school, a special day school or other day facility or a short or long term residential school providing educational programs for children with disabilities established pursuant to chapter 71B and in accordance with chapter 766 of the acts of 1972 or a Collaborative school.

“School district”, the school department of a city or town, a regional school district, an independent vocational school or a vocational school or agricultural school operated by a county.

(b) Except as required by state or federal law or as required for the commonwealth or any of its subdivisions to administer a state or federally supported or funded program, arrests for civil law enforcement shall not be permitted on school grounds without a judicial warrant or judicial order.

(c) The department, in consultation with the attorney general, organizations representing school employees and managers, the Massachusetts Association of School Committees, the Massachusetts Association of 766 Approved Private schools and other appropriate stakeholders, shall publish guidance and model policies relating to interaction with law enforcement agents engaged in civil law enforcement, including, but not limited to, federal immigration authority, to the fullest extent possible consistent with state and federal law, ensuring that schools remain safe and accessible for all residents. The guidance and model policies shall include procedures, which shall include, but not be limited to, the following: (i) identifying a designated authorized person or persons at each school and the district superintendent’s office or school administrative office to serve as the individuals responsible for having primary contact with law enforcement agents;

(ii) procedures for contacting a designated authorized person at the school and the district superintendent's office or school administrative office, who will contact the school's legal counsel; (iii) procedures for documenting all interactions with law enforcement agents while on the school's premises; (iv) procedures for notifying a student's parents or guardian or the student if the student is 18 years or older or emancipated if a law enforcement agent requests access to a student or student’s information for any civil law enforcement purpose; (v) procedures following the confirmation of law enforcement agents engaged in civil law enforcement on school sites, which shall include, but not be limited to, procedures to notify students’ parents and guardians, teachers, administrators and school personnel when the school confirms the presence of law enforcement agents engaged in civil law enforcement on the school site in a manner that ensures the confidentiality and privacy of any potentially identifying information; (vi) a plan to confirm and update students’ emergency contacts and allow for more than 1 person to be listed; and (vii) a plan to share these procedures and policies with students and families including through the use of the school district website.

(d) The department, in consultation with the attorney general, organizations representing school employees and managers and the Massachusetts Association of School Committees, shall develop a model training reviewing the components of this section that school committees, collaborative schools and commonwealth charter school board of trustees may provide to school employees, managers and other staff.

(e) Each school committee, collaborative school and commonwealth charter school board of trustees shall ensure that every school under its jurisdiction has a written emergency response plan that addresses student and staff safety relating to interaction with law enforcement agents engaged in civil law enforcement, including, but not limited to, federal immigration authority.

The emergency response plan shall be developed pursuant to the model policies established in this section.

(f) The requirements of subsection (b) shall apply regardless of whether a school district, charter school or collaborative school has adopted the policy required by subsection (c).

(g) An individual aggrieved by a violation of this section may apply for a writ of habeas corpus if such person has reasonable cause to believe that a civil arrest in violation of this section has occurred. The attorney general may bring a suit in law or equity for civil arrests in violation of this section.

(h) Nothing in this section shall require a state or local law enforcement officer to interfere with or assist the actions of a federal official engaged in civil immigration enforcement. Nothing in this section shall confer upon any state or local law enforcement officer the authority, obligation or responsibility to enforce, interpret, supervise, assess compliance with or prevent conduct governed by this section.

SECTION 5. Chapter 111 of the General Laws is hereby amended by adding the following section:-

Section 250. (a) For the purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:

“Civil law enforcement”, efforts to investigate, enforce or assist in the investigation or enforcement of civil law, including, but not limited to, any federal civil immigration law; provided, however, that “civil law enforcement” shall not include efforts to provide or assist in providing medical care to a patient or detainee who is in the custody of an agency primarily charged with civil law enforcement.

"Covered care provider", a hospital, community health center, clinic, mobile clinic, free medical group, convalescent or nursing home, rest home, charitable home for the aged, emergency medical service, adult day health center or substance use disorder treatment program licensed by the department or by the department of mental health, a public hospital operated by the department or by the department of mental health pursuant to chapter 19, a health care practice operated by physicians licensed to practice medicine by the board of registration in medicine, a health care practice of a nurse practitioner, psychiatric nurse mental health clinical specialist or nurse anesthetist who has independent practice authority pursuant to sections 80E, 80H and 80J of chapter 112 and is licensed by the board of registration of nursing, a provider of services or treatment to persons with intellectual or developmental disabilities that is funded or licensed by the department of developmental services or a provider of day habilitation services pursuant to a contract with MassHealth.

"Judicial warrant" or "judicial order", an arrest warrant or other judicial order, issued by a judge or magistrate sitting in the judicial branch of a state government or of the federal government authorizing an arrest.

(b) Except as required by state or federal law or as required for the commonwealth or any of its subdivisions to administer a state or federally supported or funded program, arrests for civil law enforcement shall not be permitted in areas designated by covered care providers as a nonpublic area without judicial warrant.

(c) Each covered care provider licensed by the department of public health, the department of mental health or funded or licensed by the department of developmental services or MassHealth or a covered health care entity that is a non-hospital-based physician practice with not less than $500,000,000 in annual gross patient service revenue shall adopt and implement a policy appropriate to the particular clinical or other setting regarding interactions with law enforcement agents involved in civil law enforcement, which shall include, but not be limited to: (i) the designation of a contact person or persons to be notified of the presence of, or information requests from, law enforcement agents engaged in civil law enforcement; (ii) the designation of nonpublic areas where individuals are receiving treatment, services or care, where individuals discuss protected health information or that are not otherwise open to the public; and (iii) procedures for informing staff and volunteers on how to respond to requests relating to civil law enforcement; provided, however, that other covered care providers may adopt and implement a policy appropriate to their clinical or other setting, as outlined in this subsection, to implement subsection (b).

(d) The department of public health, the department of mental health and the department of developmental services, in consultation with the attorney general and organizations representing staff at the covered care provider facilities, shall prepare and publish on their websites a model policy consistent with the requirements of this section.

(e) Nothing in this section shall be interpreted to limit or interfere with the ability of a covered care provider to provide medical care to a patient or detainee in the custody of an agency primarily charged with civil law enforcement; provided, however, that, where applicable, covered care providers and their medical staff shall have the exclusive authority to recommend treatment options to patients and detainees and to provide such treatment to them.

(f) An individual aggrieved by a violation of this section may apply for a writ of habeas corpus if such person has reasonable cause to believe that a civil arrest in violation of this section has occurred. The attorney general may bring a suit in law or equity for civil arrests for violations of this section.

(g) Nothing in this section shall be interpreted to require a state or local law enforcement officer to interfere with or assist the actions of a federal official engaged in civil immigration enforcement. Nothing in this section shall be interpreted to confer upon any state or local law enforcement officer the authority, obligation or responsibility to enforce, interpret, supervise, assess compliance with or prevent conduct governed by this section.

(h) Personnel of a covered care provider, including, but not limited to, administrative staff and volunteers, shall not be subject to discipline, retaliation or adverse action by the covered care provider or any licensing authority for acting in good faith compliance with this section or a policy adopted pursuant to subsection (c). Such personnel shall not be subject to retaliation or adverse action for making a complaint under this section.

(i) Personnel of a covered care provider, including, but not limited to, administrative staff and volunteers, shall be immune from civil, criminal or administrative liability for actions or omissions taken in good faith and within the scope of their duties in compliance with this section or a policy adopted pursuant to subsection (c).

SECTION 6. Chapter 127 of the General Laws is hereby amended by inserting after section 87A the following section:-

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

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

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

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

“Legal counsel of record”, the attorney who has entered an appearance on behalf of the detained individual in any court proceedings.

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

“Verified legal counsel”, an attorney licensed to practice law anywhere in the United States and in good standing in all jurisdictions in which they hold a license to practice law.

(b) This section shall apply to any facility.

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

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

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

(3) Each facility shall provide free, regular and reasonable access to video conferencing for the purpose of legal counsel meetings.

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

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

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

(g) The facility shall provide meaningful language access for any: (i) intake materials pursuant to subsection (c); (ii) medical related interactions; (iii) mental and behavioral health related interactions; (iv) discipline-related interactions; (v) legal-access related interactions; and (vi) grievance related interactions.

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

(2) Each facility shall provide transportation within the commonwealth or functional remote access for court-ordered hearings and court-ordered proceedings when United States immigration and customs enforcement has authorized the facility and the United States Immigration and Customs Enforcement transportation team to provide the transportation. This paragraph shall not alter any existing responsibility or ability to provide transportation or functional remote access to any court-ordered hearings, government appointments or any other court proceedings unrelated to immigration enforcement.

(3) Each facility shall document compliance and promptly notify legal counsel of record of any appointment that is rescheduled or missed for facility-related reasons.

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

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

(3) Each facility shall maintain audit logs of access requests by callers to obtain information pursuant to paragraph (1) and any disclosures made in response to such requests for not less than 1 year.

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

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

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

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

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

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

SECTION 7. Chapter 147 of the General Laws is hereby amended by adding the following section:-

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

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

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

"Federal immigration authority", the United States Department of Homeland Security, United States Immigration and Customs Enforcement, United States Customs and Border Protection or any successor entity, and any person acting on their behalf.

"Immigration detainer", a request to a law enforcement agency to maintain custody of an individual for immigration enforcement purposes, including detainers issued under 8 U.S.C. §§ 1226 or 1357 or 8 C.F.R. §§ 236.1 or 287.7; provided, however, that "immigration detainer" shall include, but not be limited to, form I-247A titled "Immigration Detainer – Notice of Action" and any predecessor or successor form.

"Law enforcement agency", (i) a state, county, municipal or district law enforcement agency, including, but not limited to, a city, town or district police department, the office of environmental law enforcement, the University of Massachusetts police department, the department of the state police, the Massachusetts Port Authority police department, also known as the Port of Boston Authority police department, and the Massachusetts Bay Transportation Authority police department; (ii) a sheriff's department; (iii) a public or private college, university or other educational institution or hospital police department; or (iv) a humane society police department in section 57 of chapter 22C.

"Law enforcement officer" or "officer", any officer or employee of a law enforcement agency, including the head of the agency, a special state police officer appointed pursuant to section 57, section 58 or section 63 of chapter 22C, a special sheriff appointed pursuant to section 4 of chapter 37, a deputy sheriff appointed pursuant to section 3 of said chapter 37, a constable executing an arrest for any reason or any other special, reserve or intermittent police officer.

"Nonpublic personal information", information not otherwise available to the public that is maintained by a law enforcement agency, court or political subdivision.

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

(2) No law enforcement officer or employee of a law enforcement agency, the trial court, the appeals court or the supreme judicial court, while acting under color of law, shall:

(i) except as required by federal or state law, or pursuant to a judicial warrant, court order or treaty, inquire about the immigration or citizenship status of any person; provided, however, that a law enforcement officer may make such inquiry only when the officer has an articulable, case-specific reason to believe the person's immigration or citizenship status is directly material to an element of a specific criminal offense under sections 50 to 52, inclusive, of chapter 265 or a felony under the laws of the commonwealth being investigated and the officer documents that reason in the incident report or case file;

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

(iii) use or allow use of state or local resources for, or conduct or participate in, federal civil immigration enforcement, except as required by federal or state law, or pursuant to a judicial warrant, court order or treaty, or allowed by an agreement authorized under section 287(g) of the federal Immigration and Nationality Act 8 U.S.C. § 1357 or other valid intergovernmental service agreement allowed under state law, or to provide information allowed under clause (iv);

(iv) except as required by federal or state law, or pursuant to a judicial warrant, court order or treaty, or allowed by an agreement authorized under section 287(g) of the federal Immigration and Nationality Act 8 U.S.C. § 1357 or other valid intergovernmental service agreement allowed under state law, knowingly provide a federal immigration authority: (A) nonpublic personal information; (B) advance notice of a person's release except for release at the completion of a sentence for a felony that constitutes a violent crime as defined in section 121 of chapter 140 that causes serious bodily injury as defined in section 13A of chapter 265, a sex offense, a sexually violent offense or a sex offense involving a child as such offenses are defined in section 178C of chapter 6, a serious drug offense as defined in section 10G of chapter 269 involving a class A or class B narcotic under section 31 of chapter 94C, a firearms offense for which a person is eligible due to dangerousness to be detained pretrial or released on conditions pursuant to section 58A of chapter 276 or an offense involving abuse as defined in section 1 of chapter 209A; (C) a person's custody status; or (D) advance notice of a person's upcoming court appearance, except that such information may be provided upon receipt within the preceding 30 days of a written request for such information and that identifies a specific, named individual; provided, however, that such information may only be provided to a federal immigration authority by a law enforcement officer when authorized in writing by an on-duty officer in charge, unless it would be impracticable for such on-duty officer in charge to do so, in which case the provision of such information shall be documented in writing by the law enforcement officer; and

(v) except as required by federal or state law, or pursuant to a judicial warrant, court order or treaty: (A) stop, arrest, search, seize or detain an individual based on their actual or perceived citizenship or immigration status; (B) investigate, question or interrogate an individual for the purpose of federal civil immigration enforcement; (C) detain or continue to detain an individual based solely on an immigration detainer beyond the time the individual would otherwise be eligible for release from custody; or (D) except as allowed by an agreement authorized under section 287(g) of the federal Immigration and Nationality Act 8 U.S.C. § 1357 or other valid intergovernmental service agreement allowed under state law, transport an individual into an immigration agent's custody unless pursuant to a judicial warrant or court order.

(c)(1) No law enforcement agency or political subdivision of the commonwealth shall execute, renew or materially expand a memorandum of agreement under section 287(g) of the federal Immigration and Nationality Act or any substantially similar agreement or arrangement that deputizes state or local law enforcement officers or personnel to perform civil immigration enforcement functions; provided, however, that the department of correction may maintain the memorandum of agreement under section 287(g) of the federal Immigration and Nationality Act 8 U.S.C. § 1357 in effect as of June 8, 2020; provided further, that the department of correction shall apply to the governor to renew or materially expand a memorandum of agreement under section 287(g) of the federal Immigration and Nationality Act 8 U.S.C. § 1357 or any substantially similar agreement or arrangement that deputizes state or local law enforcement officers or personnel to perform civil immigration enforcement functions or to execute any new agreements; and provided further, that any payments made by the federal government to reimburse the department of correction for costs associated with executing responsibilities under an agreement described in this paragraph shall be transferred to the General Fund.

(2) Notwithstanding paragraph (1), a law enforcement agency may apply to the governor for a time-limited agreement pursuant to section 287(g) of the federal Immigration and Nationality Act 8 U.S.C. § 1357 of a duration of not more than 12 months, ; provided, however, that the agreement shall be restricted solely to violations of criminal law and shall not authorize enforcement of Title 8 of the United States Code; provided further, that: (i) the agreement shall be limited to cooperation in the execution of criminal warrants or criminal process issued by a court of competent jurisdiction; (ii) the application shall demonstrate an articulable, imminent public safety interest; (iii) the governor shall issue a written determination after public notice and comment and consultation with the attorney general; (iv) the attorney general shall prepare and publish, contemporaneously with the governor’s written determination, a written legal analysis assessing compliance with this subsection and identifying material legal risks, including potential federal preemption or intergovernmental immunity concerns; (v) any approval of an application shall sunset not later than 12 months after issuance; provided further, that no application shall be automatically renewed; and provided further, that a law enforcement agency may submit a new

application pursuant to this paragraph for an additional 12 months; and (vi) the law enforcement agency shall publish quarterly public reports on its website, describing implementation, excluding personally identifying information.

(d) Nothing in this section shall be construed to restrict or limit the ability of a law enforcement agency or officer or employee of such an agency, the trial court, the appeals court or the supreme judicial court, acting under color of law, to: (i) investigate and enforce criminal law; provided, however, that the law enforcement agency or officer does not take such actions for the purpose of conducting or participating in federal civil immigration enforcement, including, but not limited to: (A) requesting or receiving personally identifying information during a lawful criminal investigation, arrest or booking process; (B) sending fingerprints to the department of state police state identification section or other criminal justice information systems operated by the commonwealth, a political subdivision of the commonwealth or the federal bureau of investigation; (C) communicating with state, local and federal authorities for purposes of conducting coordinated criminal investigations unrelated to federal civil immigration enforcement; (D) transferring an individual to another law enforcement agency for the purpose of enforcing criminal law unrelated to federal civil immigration enforcement; or (E) contacting federal immigration authorities to request that an individual be returned to state or local custody for the purpose of bringing a criminal prosecution against the individual or to be a witness in a criminal prosecution or grand jury; (ii) use de-escalation tactics as defined in section 1 of chapter 6E and maintain peace in public spaces; (iii) make inquiries necessary to certify an individual who has been identified as a potential crime or trafficking victim for a T or U Visa pursuant to 8 U.S.C. § 1101(a)(15)(T) or 1101(a)(15)(U); (iv) notify an individual in the law enforcement agency's custody about that individual’s right to communicate with consular officers, make inquiries regarding an individual's nationality or citizenship necessary to notify consulates that require notification when an individual is arrested and notify said consulates, in accordance with international law; (v) request evidence of citizenship or immigration status to process an application for or renewal of any firearm license, card or permit pursuant to section 121F of chapter 140 or 18 U.S.C. §§ 921-931; (vi) send to or receive from the federal government an individual's citizenship or immigration status as required by 8 U.S.C. §§ 1373 and 1644; (vii) enter into or fulfill an inter-governmental services agreement with a federal agency to provide detention services for persons in federal custody; or (viii) comply with the requirements of any other applicable federal, state or local law.

(e)(1) The attorney general shall issue guidance providing for a process to submit complaints for violations of this section and may enforce this section by a civil action brought in the superior court for declaratory, injunctive and other equitable relief to compel compliance or prevent violations.

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

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

(4) Nothing in this section shall be construed to require or permit a law enforcement agency to provide information or other assistance to a federal immigration authority in contravention of local law or the written policy of such agency.

(5) Nothing in this section shall be interpreted to alter the responsibilities of law enforcement officers under chapter 6E.

SECTION 8. Section 19C of chapter 149 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the second paragraph the following paragraph:-

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

SECTION 9. Section 5-202 of chapter 190B of the General Laws, as so appearing, is hereby amended by inserting after the word “death”, in line 21, the following words:- , an adverse immigration action against the parent or guardian.

SECTION 10. Subsection (d) of said section 5-202 of said chapter 190B, as so appearing, is hereby amended by adding the following sentence:- For purposes of this section, “adverse immigration action” shall include, but not be limited to: (i) detention or confinement by the United States Department of Homeland Security or any other agency authorized or acting on behalf of the United States Department of Homeland Security on the basis of an alleged violation of federal immigration law; (ii) departure from the United States under: (A) an order of removal, deportation, exclusion, voluntary departure or expedited removal; or (B) a stipulation of voluntary departure; or (iii) denial of admission or entry into the United States by the Department of Homeland Security.

SECTION 11. Said section 5-202 of said chapter 190B, as so appearing, is hereby further amended by striking out subsection (f) and inserting in place thereof the following subsection:-

(f) The parental appointment of a guardian shall not supersede the parental rights of either parent. If both parents are dead, have been adjudged incapacitated persons or are subject to an adverse immigration action, an appointment by the last parent to die, to be adjudged incapacitated or to be subject to an adverse immigration action shall receive priority.

SECTION 12. The General Laws are hereby further amended by inserting after chapter 221C the following chapter:-

CHAPTER 221D

CIVIL ARRESTS IN COURTS

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

"Civil arrest", an arrest that is not: (i) for the purpose of preparing the person subject to such arrest for criminal prosecution for an alleged violation of the criminal law of: (A) the commonwealth or another jurisdiction within the United States, for which a sentence of a term of imprisonment is authorized by law; or (B) the United States, for which a sentence of a term of imprisonment is authorized by law and for which federal law requires an initial appearance before a federal judge, federal magistrate or other judicial officer pursuant to the federal rules of criminal procedure that govern initial appearances; (ii) for contempt of court; (iii) for a capias issued by a judge of the commonwealth; (iv) for a parole warrant issued under section 149A of chapter 127 or a probation warrant issued under section 3 of chapter 279; (v) for a governor's warrant of arrest issued under section 16 of chapter 276; or (vi) related to an application for commitment under section 12 of chapter 123.

“Courthouse”, the interior of any facility in which a court of the commonwealth conducts business, or curtilage thereof; provided, however, that curtilage shall include, but not be limited to, lawns, plazas, courtyards, steps, ramps, sidewalks, walkways, any garage, driveway or parking lot owned by or leased by the judicial branch contiguous to a courthouse and any sidewalk or walkway that connects the courthouse to a garage or parking lot owned or leased by the judicial branch.

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

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

“Law enforcement officer”, (i) an officer of a law enforcement agency, including, but not limited to, the head of the agency; (ii) a special state police officer appointed pursuant to section

57, 58 or 63 of chapter 22C; (iii) a special sheriff appointed pursuant to section 4 of chapter 37 performing police duties and functions; (iv) a deputy sheriff appointed pursuant to section 3 of said chapter 37 performing police duties and functions; (v) a constable executing an arrest for any reason; or (vi) any other special, reserve or intermittent police officer.

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

(b) A civil arrest shall not be made by a law enforcement officer or other representative of a law enforcement agency in a courtroom.

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

(b) Annually, not later than July 1, the trial court shall prepare, publish on the court's website and provide to the governor, the speaker of the house of representatives, the president of the senate, the clerks of the house of representatives and the senate, the joint committee on public safety and homeland security and the joint committee on the judiciary a report containing information on the warrants and judicial orders received by each local and state court of the commonwealth pursuant to this chapter in the past year. The report shall include, but shall not be limited to: (i) the date each judicial warrant or judicial order was signed; (ii) the name of the judge who issued the judicial warrant or judicial order; (iii) the name and location of the court that issued the judicial warrant or judicial order, as shown by such judicial warrant or judicial order; (iv) the date the judicial warrant or judicial order was presented to the court; (v) a description of the type of judicial warrant or judicial order; and (vi) if known, whether or not an arrest occurred with respect to such warrant and the date and location of such arrest.

Section 4. An arrest or detention in violation of this chapter shall constitute false imprisonment as defined in section 3 of chapter 263; provided, however, that nothing in this chapter shall affect any right or defense available to a person, law enforcement officer, public officer or court employee acting lawfully and in accordance with duties pursuant to section 70A of chapter 221.

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

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

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

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

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

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

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

SECTION 13. The General Laws are hereby further amended by striking out chapter 258F and inserting in place thereof the following chapter:-

CHAPTER 258F

CERTIFICATION FOR VICTIMS OF CRIMINAL ACTIVITY AND HUMAN TRAFFICKING

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

"Certifying entity", a law enforcement agency, prosecutor or other state or local entity that has the authority to detect, investigate or prosecute severe forms of trafficking in persons or other qualifying criminal activity.

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

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

Section 2. A certifying entity may certify a request of a victim of qualifying criminal activity who intends to petition for a nonimmigrant visa under 8 U.S.C. § 1101(a)(15)(U) or from a victim of severe forms of trafficking in persons who intends to petition for a nonimmigrant visa under 8 U.S.C. § 1101(a)(15)(T), pursuant to this chapter. For purposes of determining whether a person is a victim of qualifying criminal activity for certification, a certifying entity shall not require the filing of criminal charges or a conviction. For purposes of certification decisions under this chapter, allegations of wage theft, workplace safety violations, housing violations or labor exploitation accompanied by threats of deportation, intimidation or retaliation may constitute qualifying criminal activity where the nature and elements of the offenses are substantially similar to extortion, involuntary servitude, peonage, obstruction of justice, witness intimidation or other criminal activity described in 8 U.S.C. § 1101(a)(15)(U)(iii).

Section 3. Each certifying entity shall adopt, publish and maintain a written certification policy consistent with this chapter and the regulations promulgated pursuant to section 6. The policy shall include, but shall not be limited to: (i) identification of a designated certifying official within the certifying entity and an alternate; (ii) a description of how requests may be submitted, which shall include, but not be limited to, by email, through legal counsel or through an authorized advocate; (iii) objective criteria used to assess whether a person is a victim who meets the requirements for helpfulness consistent with federal certification forms; (iv) a prohibition of consideration of the applicant's immigration admissibility or eligibility beyond the determinations required by the federal certification form; (v) a prohibition of any fee; and (vi) a description of the certifying entity's internal review process for denials.

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

(b) If the applicant, or the applicant's counsel or advocate, certifies that the applicant is in federal removal proceedings or has a scheduled immigration court hearing within 45 days or has a derivative beneficiary as described in 8 U.S.C. § 1101(a)(15)(T)(ii)(III) who will age out within 45 days, the certifying entity shall respond not later than 14 business days after receiving the request; provided, however, that if extraordinary circumstances outside of the certifying entity's control prevent the certifying entity from responding within 14 business days after receiving the request, the certifying entity shall provide a written explanation of the delay to the applicant, or the applicant's counsel or advocate, which shall include a projected response date.

(c) The certifying entity shall respond by: (i) completing and signing the applicable federal certification form; (ii) issuing a written denial without prejudice that states the specific reasons the request does not meet the requirements of the entity's policy under section 3 and identifies the internal review process; or (iii) issuing a written explanation of delay as provided in subsection (b).

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

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

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

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

Section 7. The attorney general shall issue guidance providing for a process to submit complaints for violations of this chapter and may file a complaint against a certifying entity for declaratory, injunctive and other equitable relief to compel compliance or prevent violations of this chapter. Nothing in this section shall be construed to create a private right of action; provided, however, that nothing herein shall limit any remedy otherwise available under law, including, but not limited to, remedies under chapter 249.

Section 8. Notwithstanding subsection (b) of section 64 of chapter 147, a law enforcement agency may inquire into the immigration or citizenship status of a victim of a crime, witness or person seeking assistance, in accordance with this chapter.

SECTION 14. Section 58 of chapter 276 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the word “conviction”, in lines 44 and 45, the following words:- , whether a final order of removal, as defined in 8 CFR 1241.1, has been entered; provided, however, that the alleged acts involve a felony under the laws of the commonwealth, all rights of appeal have been exhausted or waived, no stay of removal, order of supervision or other administrative or judicial action affecting the execution of the order of removal has been sought or entered and the federal government has commenced active execution of the order of removal.

SECTION 15. (a) There shall be a commission on immigration matters in the commonwealth. The commission shall operate for 3 calendar years; provided, however, that the commission may be extended for up to an additional 3 years upon agreement of the chairs. The commission shall consist of: 2 members to be appointed by the governor; 2 members to be appointed by the president of the senate; 1 member to be appointed by the minority leader of the senate; 2 members to be appointed by the speaker of the house of representatives; 1 member to be appointed by the minority leader of the house of representatives; 1 member to be appointed by the attorney general; 1 member to be appointed by the department of the trial court; 1 member to be appointed by La Colaborativa, Inc.; 1 member to be appointed by the committee for public counsel services; 1 member to be appointed by Greater Boston Legal Services, Inc.; 1 member to be appointed by Massachusetts Municipal Association, Inc.; 1 member to be appointed by New American Association of Massachusetts, Inc.; 1 member to be appointed by the Massachusetts Temporary Protected Status Committee; 1 member to be appointed by the Massachusetts AFL-CIO; 1 member to be appointed by Massachusetts Immigrant and Refugee Advocacy Coalition Inc.; 1 member to be appointed by Massachusetts Sheriffs' Association, Inc.; 1 member to be appointed by the Massachusetts Chiefs of Police Association Incorporated; and 1 member to be appointed by the Massachusetts District Attorneys Association. An appointing authority may remove a member at the appointing authority's discretion and shall fill any vacancies. The president of the senate and the speaker of the house of representatives shall each designate a co-chair of the commission from the membership of the commission. Each member of the commission shall be a resident of the commonwealth.

(b) The commission shall investigate, study and make recommendations regarding immigration matters in the commonwealth, including interactions with federal immigration agencies, including, but not limited to: (i) reviewing the adequacy of existing state statutes, regulations and practices; (ii) formulating appropriate responses to decisions by federal and state courts; (iii) recommending municipal policies including ordinances, by-laws and other regulations; (iv) reviewing immigration legal defense funding and recommending budgetary adjustments to best serve the needs of immigration legal defense efforts; (v) reviewing policies regarding data sharing between state and local agencies and the federal government including, but not limited to, the sharing of: (A) criminal offender record information; and (B) fingerprints when not required by state or federal law; (vi) reviewing the use of state and local facilities, including airports, by the federal government to facilitate immigration enforcement; (vii) reviewing the policies and guidelines issued and adopted by public and private entities related to civil immigration enforcement; (viii) reporting on disaggregated data regarding compliance with said policies and guidelines; (ix) reviewing the powers of state and local law enforcement officers and employees to: (A) investigate legal violations by federal officers and employees; and (B) maintain joint control over crime scenes that may involve a violation of the criminal laws of the commonwealth and recommending procedures that may be used in the exercise of such powers; (x) reviewing language accessibility of the policies that public and private entities adopt regarding interactions with civil immigration enforcement; (xi) developing recommendations for proactive measures to protect the preparation for, and administration and implementation of, the 2030 decennial census, pursuant to Title 13 of the United States Code, from interference by agents of the United States immigration and customs enforcement agency; and (xii) evaluating and making recommendations regarding safe spaces, including, but not limited to, playgrounds, summer camps, public libraries, higher education campuses, other educational entities and locations where funeral services are typically held.

The commission shall include its findings pursuant to this subsection in at least 1 of the commission’s annual reports issued pursuant to subsection (c).

(c) The commission shall meet not less than 4 times per year. At least annually, the commission shall issue a report and shall submit it to the governor, the attorney general and the clerks of the senate and house of representatives. The report shall include, but not be limited to: (i) the number of commission meetings held, including scheduled and emergency meetings; (ii) the number of hearings held and topics discussed; (iii) any laws, regulations or executive orders proposed by the commission and the results of any votes of the commission taken on such proposals; and (iv) an analysis of latest budget provisions and anticipated future budgetary needs for immigration legal defense efforts.

(d) The commission shall conduct at least 1 annual public hearing. Not less than 5 days before a public hearing, the commission shall provide notice of the time and location of such hearing.

SECTION 16. Notwithstanding any general or special law to the contrary, the department of the state auditor may audit the accounts, programs, activities and functions of any sheriff under chapter 126 of the General Laws pursuant to any intergovernmental service agreement with the United States Immigration and Customs Enforcement agency and audit any immigration detention facility, detention center or similar facility located within the commonwealth that is owned, leased, operated, managed or maintained by a private entity pursuant to any special permit granted by a municipality and any contract, lease, agreement or arrangement with the United States Immigration and Customs Enforcement agency, or any successor federal agency, to the extent that such facility utilizes or impacts, directly or indirectly, property, infrastructure, services or governmental assistance provided by a municipality, the commonwealth or any political subdivision thereof. Said audit shall be conducted in accordance with generally accepted government auditing standards.

Such audit shall include, but not be limited to, a review of the compliance with applicable local ordinances, special permits, laws, regulations, contractual obligations, health and safety standards, conditions of confinement, staffing practices, procurement practices and the use of state or local governmental resources in support of the facility. The authorized officers and employees of the department of the state auditor shall have access at reasonable times to all records, documents, reports, contracts, leases, vouchers, correspondence and other materials necessary to conduct such audit. The attorney general may enforce this section by a civil action brought in the superior court for declaratory, injunctive and other equitable relief to compel compliance or prevent violations.

Not later than January 1, 2027, the state auditor shall issue a public report of the findings of any audit conducted pursuant to this section and may make recommendations to ensure accountability, transparency, compliance with law and the protection of public resources.

Nothing in this section shall be construed to authorize the department of the state auditor to regulate, direct, supervise or interfere with the enforcement of federal immigration law or the operations of any federal agency.

SECTION 17. Not later than 190 days of the effective date of this act, the rules or regulations required by section 225 of chapter 6 of the General Laws shall be published and posted on the commonwealth's website; provided, however, that within 30 days of the effective date of this act, the governor shall direct the executive office for administration and finance to publish temporary guidelines pending publication of the final rules or regulations required by subsection (b) of said section 225 of said chapter 6; and provided further, that the governor may direct the executive office for administration and finance to publish emergency regulations pursuant to chapter 30A of the General Laws pending publication of the final rules or regulations required by said subsection (b) of said section 225 of said chapter 6.

SECTION 18. Not later than 190 days of the effective date of this act, the guidelines required pursuant to section 226 of chapter 6 of the General Laws shall be published and posted on the commonwealth’s website.

SECTION 19. Notwithstanding any general or special law to the contrary, each licensed child care center, family child care home, school-aged child care program and group care facility shall adopt a policy, as required by subsection (c) of section 23 of chapter 15D of the General Laws to be in effect not later than September 1, 2026 or the first day of the 2026-2027 school year, whichever is earlier.

SECTION 21. Notwithstanding any general or special law to the contrary, each school district, charter school and collaborative school shall adopt the policy, as required by subsection (c) of section 102 of chapter 71 of the General Laws to be in effect not later than September 1, 2026 or the first day of the 2026-2027 school year, whichever is earlier.

SECTION 22. Not later than 30 days after the effective date of this act, the department of public health and the department of mental health, in consultation with the attorney general, shall issue the model policy pursuant to subsection (d) of section 250 of chapter 111 of the General Laws.

SECTION 23. Not later than 60 days after the effective date of this act, covered care providers shall adopt a provider-specific policy, as required by subsection (c) of section 250 of chapter 111 of the General Laws.

SECTION 24. Sections 6, 12 and 15 shall take effect 90 days after the effective date of this act.

SECTION 25. Section 7 shall take effect 30 days after the effective date of this act.