

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Adam Gomez

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to immigration detention and collaboration agreements.

PETITION OF:

NAME:

Adam Gomez

DISTRICT/ADDRESS:

Hampden

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 997 OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act relative to immigration detention and collaboration agreements.

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

1 Chapter 6 of the General Laws, as appearing in the 2022 Official Edition, is hereby
2 amended by inserting after Section 222 the following new sections:-

3 Section 223.

4 (a) As used in this section, the following words shall have the following meanings:

5 “Covered entity”, any of the following entities, or any of their agents, officers,
6 employees, agencies, or departments: the Commonwealth, any law enforcement agency, or any
7 county, city, town, district, or authority in the Commonwealth.

8 “Immigration collaboration agreement”, any contract, agreement, memorandum of
9 understanding or other arrangement, whether formal or informal, that grants federal immigration

10 enforcement authority or powers to any covered entity, including, but not limited to, an
11 agreement made pursuant to 8 U.S.C. § 1357(g).

12 “Immigration detention agreement”, any contract, agreement, memorandum of
13 understanding, intergovernmental service agreement, or other arrangement, whether formal or
14 informal, with any covered entity to arrest, detain, or house any person for the purpose of civil
15 immigration detention.

16 “Law enforcement agency”, an agency in the Commonwealth charged with enforcement
17 of state and municipal laws or with managing custody of detained or incarcerated persons in the
18 state, including, but not limited to, municipal police departments, sheriff’s departments, campus
19 police departments, hospital police departments, the Department of Corrections, Massachusetts
20 State Police, the Department of Youth Services, and any council, consortium, or professional
21 association of any of the foregoing entities.

22 (b) After the effective date of this Act, no covered entity may:

23 (1) enter into an immigration collaboration agreement or immigration detention
24 agreement; or

25 (2) extend or renew an existing immigration collaboration agreement or immigration
26 detention agreement.

27 (c) Any party to an existing agreement governed by this section shall terminate such
28 agreement as soon as practicable; provided that any immigration collaboration agreement shall
29 be terminated no later than 30 days from the effective date of this Act and any immigration
30 detention agreement shall be terminated no later than 90 days from the effective date of this Act.

31 (d) Whenever the Attorney General has reason to believe that any person or entity is
32 violating the provisions of this section, the Attorney General may bring an action in the name of
33 the Commonwealth against such person or entity to restrain such violation by temporary
34 restraining order or preliminary or permanent injunction. The action may be brought in the
35 Superior Court of the county in which such violation is occurring or is reasonably anticipated to
36 occur, or in the Superior Court of Suffolk County, at the Attorney General's election. Nothing
37 herein shall preclude a private action concerning any violation of this section against any person
38 or entity, to the extent otherwise permitted by law.