

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 15
Appropriations

(Delegate Pena-Melnyk)

Education, Health, and Environmental Affairs
and Budget and Taxation

Creating Governor's Office of Immigrant Affairs

This bill establishes the Governor's Office of Immigrant Affairs to assist immigrants in the State. The bill establishes the appointment, powers, duties, and responsibilities of both the office and office director. The director must report to the Governor and the General Assembly detailing the activities of the office.

Fiscal Summary

State Effect: General fund expenditures increase by \$321,300 in FY 2022; future years reflect annualization. Revenues are not affected.

(in dollars)	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	321,300	366,000	376,000	388,100	400,500
Net Effect	(\$321,300)	(\$366,000)	(\$376,000)	(\$388,100)	(\$400,500)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill is not anticipated to affect local government operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: "ESOL program" means an English for Speakers of Other Languages Program. "Immigrant" means an individual who is a resident of the State, is not a citizen of the United States, and whose country of origin is a country other than the United States.

Governor's Office of Immigrant Affairs – Responsibilities

Subject to the availability of funding, the office must advise the Governor on matters relating to immigrants in Maryland. Specific responsibilities include:

- establishing a network of neighborhood-based opportunity centers that provide immigration services to immigrants;
- increasing access to ESOL programs, including by engaging nonprofit organizations and other qualified providers of ESOL programs;
- assisting immigrants in matters relating to immigration status, including assisting with the naturalization process and applications for Deferred Action for Childhood Arrivals (DACA);
- connecting immigrants to business resources that use immigrants' skills, employment referral programs, and other workforce development programs;
- developing and leveraging immigrants' skills to benefit the immigrants' communities and the State;
- strengthening the connection between immigrants communities through civic engagement;
- reducing exploitation of immigrants;
- establishing a toll-free, multilingual hotline and a website for purposes including disseminating information about the programs and services offered by the office, referring for services, and receiving complaints relating to fraud and other related crimes against immigrants;
- ensuring that individuals referred by the office are directed to persons who are in compliance with the Maryland Immigration Consultant Act, or authorized by the Federal Office of Legal Access Programs;
- using information developed by the office through the hotline, to assist law enforcement in combating crimes against immigrants;
- advising the Governor and the director concerning matters affecting immigrants in the State in order to promote and encourage the full participation of immigrants in the State's civic and economic life;
- coordinating with other State agencies and otherwise using the resources of the State to serve the needs of immigrants; and
- encouraging and assisting local governments in the development of activities to enhance civic engagement among immigrants and in immigrant communities.

Reporting Requirements

By June 15, 2022, and annually thereafter, the director must submit a report to the Governor and the General Assembly describing the activities of the office, including (1) summaries

of calls and queries received through the hotline and website; (2) information on ESOL programs provided by the office; (3) the estimated or exact number of immigrants assisted through opportunity centers; (4) the status of any workforce development programs; and (5) any other relevant information.

Current Law:

Governor's Office of Community Initiatives

The Governor's Office of Community Initiatives coordinates community and volunteer service activities in the State, and develops and coordinates the Governor's policy agenda affecting community programs and initiatives. The office also advises the Governor on policies to enhance and improve the delivery of community and volunteer services, in addition to coordinating the Governor's ethnic and cultural commissions. The commissions include:

- Governor's Commission on African Affairs;
- Governor's Commission on Asian Pacific American Affairs;
- Governor's Commission on Hispanic Affairs;
- Governor's Commission on South Asian American Affairs;
- Maryland Commission on African American History and Culture; and
- Maryland Commission for Indian Affairs.

Maryland Office for Refugees and Asylees

The Maryland Office for Refugees and Asylees (MORA), within the Department of Human Services, provides support and services to federally recognized refugees and political asylees to ease their integration into American society. MORA works with public and private service providers to plan, administer, and coordinate transitional services aimed at helping refugees become self-sufficient as quickly as possible.

Deferred Action for Childhood Arrivals

In 2012, the U.S. Department of Homeland Security issued the DACA policy (pursuant to an executive order) to allow young unauthorized immigrants who are low-enforcement priorities to remain in the country. DACA does not grant an individual legal immigration status or provide a pathway to citizenship, but it does provide individuals with a temporary lawful status. To be eligible for DACA, an individual must meet specified requirements including (1) being younger than age 31 as of June 15, 2012; (2) having arrived in the United States prior to the age of 16; and (3) either being currently in school or having graduated or obtained a certificate of completion from high school, having a GED, or

having been honorably discharged from the Coast Guard or Armed Forces. Individuals eligible for DACA must not have been convicted of a felony, significant misdemeanor, three or more other misdemeanors, or otherwise pose a threat to national security or public safety.

State Expenditures: General fund expenditures increase by \$321,286 in fiscal 2022, which accounts for the bill's October 1, 2021 effective date. This estimate reflects the cost of establishing and maintaining the required multilingual hotline and website and four additional positions (one director to lead the office, one immigration attorney to assist immigrants with legal issues, and two administrative assistants). It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	4
Salaries and Fringe Benefits	\$255,981
One-time Technology Set-up Costs	6,500
Ongoing Hotline and Website Costs	38,000
Operating Expenses	<u>20,805</u>
Total FY 2022 State Expenditures	\$321,286

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expense.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 85 (Senator Rosapepe) - Education, Health, and Environmental Affairs and Budget and Taxation.

Information Source(s): Anne Arundel, Baltimore, Garrett, Howard, and Montgomery counties; City of Laurel; Governor's Office; Department of Budget and Management; Department of Legislative Services

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