



February 20, 2026

FISCAL AND POLICY NOTE

TO: David H. Murray
Council Administrator

Colette R. Gresham, Esq.
Deputy Council Administrator

THRU: Lavinia Baxter *LB*
Senior Legislative Budget and Policy Analyst

FROM: Roger G. Banegas *RGB*
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-005-2026 County Equity Participation Authority Act

CB-005-2026 (*Proposed by*): Council Members Dernoga and Oriadha

Assigned to the Committee of the Whole

AN ACT CONCERNING INDIVIDUALS NOT ELIGIBLE FOR COUNTY EMPLOYMENT for the purpose of prohibiting certain individuals employed by certain federal agencies from County employment; and generally relating to County personnel.

Fiscal Summary

Direct Impact:

Expenditures: No anticipated expenditures impact.

Revenues: No anticipated revenue impact.

Indirect Impact:

Likely favorable.

Legislative Summary:

CB-005-2026¹, proposed by Council Members Dernoga and Oriadha, was introduced on February 17, 2026, and referred to the Committee of the Whole (COW). CB-005-2026 would prohibit the filling of positions in the County classified service and exempt service with candidates who were employed by the U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement after June 30, 2025.

Resource Personnel:

- Josh Hamlin, Legislative Attorney
 - Michelle Garcia, Chief of Staff, Council District 1
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Current Law/Background:

Subtitle 16² of the Prince George’s County Code establishes the County’s personnel system. Subtitle 16, under the mandate set by Sections 901³ and 904⁴ of Article IX of the County Charter, provides the legal framework governing employment practices for classified County employees, including recruitment/hiring practices, classification, compensation, performance management, discipline, grievance procedures, and employee appeal rights.

¹ [Prince George's County Council - Reference No. CB-005-2026](#)

² [Subtitle 16. - Personnel. of the Prince George's County Code](#)

³ [Section 901](#) of Article IX of the County Charter states: “Except for those in exempt positions, the Council shall provide by law for a personnel system governing the appointment and removal of employees, and other personnel procedures for employees in the County government. The personnel system shall insure that personnel actions are based upon merit and fitness, and that no employee or applicant for employment shall be discriminated against in any personnel action by reason of race, color, religion, age, disability, creed, sex, marital status, familial status, sexual orientation, political affiliation, or country of national origin.

⁴ [Section 904](#) of Article IX of the County Charter states: “The personnel law of the County shall include but not be limited to: (1) classification and pay plans including the allocation of positions; (2) construction, maintenance, and expiration of eligibility lists; (3) certification and appointment procedures; (4) probationary requirements; (5) promotion, transfer, and separation procedures; (6) disciplinary procedures; (7) career development plans; (8) special rules relating to the fire and police services; and (9) such other matters as may be required by law.”

Discussion/Policy Analysis:

In 2026, the American sentiment toward the Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) is deeply polarized and largely critical. According to a PBS News/NPR/Marist Poll⁵, 6 in ten 10 Americans disapprove of the job ICE is doing, while 3 in 10 approve. Opinions about the agency and its actions are sharply divided along political lines, with 91% of Democrats and 66% of independents registering their disapproval. Republicans, however, remain supportive, with 73% approving of the agency's work⁶. The murders of Renée Good and Alex Pretti have sparked national outrage and a distrust of ICE. Many States and jurisdictions are attempting to enact stricter laws and to discourage local law enforcement from cooperating with ICE.

The Prince George's County Council is seeking to enact CB-005-2026. This legislation would amend the Prince George's County Code by adding Section 16-150.01. – Certain individuals not eligible for County employment. to *Subtitle 16. Personnel. Division 5. Methods of Filling Positions*. CB-005-2026 would add the following language to the County Code:

- (a) No appointing authority shall fill or request to fill any vacant position in the classified service or the exempt service with a candidate who was employed by the following federal agencies after June 30, 2025:
 - (1) United States Customs and Border Protection; and
 - (2) United States Immigration and Customs Enforcement.
- (b) This section applies prospectively only and does not apply to any individual who is a County employee prior to the effective date of this Section.

Other Jurisdictions:

Maryland

The U.S. Department of Homeland Security Immigration and Customs Enforcement, also known as ICE, established its 287(g) program to authorize local law enforcement officials to perform federal civil immigration enforcement functions under ICE's oversight⁷. Governor Wes Moore signed legislation on February 17, 2026 to prohibit State and Local jurisdictions from deputizing officers for federal civil immigration enforcement activity. The law, created under SB 245⁸/ HB 444⁹, is effective immediately.

Washington State

⁵ [Marist Poll - The Actions of ICE, February 2026](#)

⁶ [PBS News - Poll: Nearly two-thirds of Americans say ICE has gone too far in immigration crackdown](#)

⁷ [ICE.gov - 287\(g\) Program](#)

⁸ [Maryland General Assembly - SB 245](#)

⁹ [Maryland General Assembly - HB 444](#)

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In Washington State, Representative Tarra Simmons introduced the ICE Out Act of 2026 through HB 2641¹⁰. This legislation would prohibit all Washington state law enforcement agencies from hiring anyone who was hired as a sworn officer of U.S. Immigration and Customs Enforcement on or after January 20, 2025. If passed, the bill would take effect on October 1, 2026. At the time of this writing, the legislation is currently in the Committee on Community Safety.

The previous two (2) examples involve narrowly tailored legislation; however, CB-005-2026 has broader parameters regarding ICE/CBP employees.

California

In California, Assembly Bill 1627¹¹ (the “Misconduct Ends Law-Enforcement Trust Act” or “MELT ICE Act”) would permanently ban former ICE agents from serving as police officers or teachers in California. The disqualification applies to anyone employed by ICE during the second Trump administration, specifically from September 2025 to January 2029. The ban extends beyond ICE to include former employees of the Alabama and Georgia Departments of Corrections who served between 2020 and 2026. If passed, the law would require the Department of Justice and the Department of Education to expand background checks to specifically flag these prior employers. The bill is scheduled for its first committee hearing as early as February 26, 2026.

Questions for Committee Consideration:

1. How would prior service be verified?
2. How many applicants in recent years have had prior CBP/ICE employment?
3. Would this reduce the qualified applicant pool for public safety positions?
 - a. Could this impact recruitment during staffing shortages?
4. What fiscal impact would this have on recruitment or vacancy rates?
5. Does the Office of Law have any issues related to legal impediments as they relate to discrimination?
 - a. Does the Office of Law anticipate any legal challenges from this?
 - b. Do any parts of legislation interfere with State or Federal law?

Fiscal Impact:

- *Direct Impact*

The enactment of CB-005-2026 will not have a direct fiscal impact.

¹⁰ [Washington State Legislature - HB 2641 - 2025-26](#)

¹¹ [LegiScan - California Assembly Bill 1627](#)

- *Indirect Impact*

The enactment of CB-005-2026 may have a favorable indirect fiscal impact by potentially increasing public trust in public safety officials, as they would not come from a Customs and Border Protection or Immigration and Customs Enforcement background.

Appropriated in the Current Fiscal Year Budget

N/A.

Effective Date of Proposed Legislation:

The proposed legislation shall be effective 45 days after adoption.

If you require additional information or have questions about this fiscal impact statement, please contact me.