

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2026, Legislative Day No. 4

Bill No. 14-26

Councilmembers Jones, Patoka, Ertel, & Young

By the County Council, February 17, 2026

A BILL
ENTITLED

AN ACT concerning

Emergency Measure – Zoning Regulations – Detention Center Prohibition

FOR the purpose of defining certain terms; prohibiting the use of a detention center in Baltimore County; prohibiting the County from issuing certain permits or giving authorization for a detention center; requiring the County to take certain actions regarding permits for a detention center that were applied for or issued after a certain date; exempting certain detention centers owned and operated by the County or the State declaring this Act an emergency measure under Charter Section 308(f) and setting a certain effective date; and generally relating to Detention Centers.

BY adding

Sections 101.1, the definition of “detention center” listed alphabetically, and Section 444 Baltimore County Zoning Regulations, as amended

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

4 ARTICLE 1 – GENERAL PROVISIONS

5 Section 101 – Definitions

7 § 101.1. Word usage; definitions.

8 Words used in the present tense include the future; words in the singular number include
9 the plural number; the word “shall” is mandatory. For the purposes of these regulations, certain
10 terms and words are defined below.

11 Any word or term not defined in this section shall have the ordinarily accepted definition
12 as set forth in the most recent edition of Webster’s Third New International Dictionary of the
13 English Language, Unabridged.

14 DETENTION CENTER – A BUILDING, FACILITY, OR STRUCTURE THAT
15 IS USED, IN WHOLE OR IN PART, TO HOUSE OR DETAIN INDIVIDUALS UNDER
16 RESTRAINT OR SECURITY. A DETENTION CENTER INCLUDES: IMMIGRATION
17 DETENTION FACILITIES; CORRECTIONAL CENTERS OR FACILITIES; JAILS;
18 PRERELEASE CENTERS; PRISONS; REFORMATORIES; TEMPORARY OR
19 PERMANENT HOLDING AREAS OR FACILITIES; OR ANY OTHER USE THAT IS
20 CONSISTENT WITH THESE USES. A DETENTION CENTER IS NOT PERMITTED BY
21 ANOTHER USE OR A GENERAL ZONING CLASSIFICATION THAT MAY AUTHORIZE
22 GOVERNMENT, PUBLIC, OR INSTITUTIONAL USES. A DETENTION CENTER DOES
23 NOT INCLUDE A LICENSED RESIDENTIAL TREATMENT CENTER.

ARTICLE 4 – SPECIAL REGULATIONS

SECTION 444 – DETENTION CENTERS

§ 444.1. DETENTION CENTERS PROHIBITED.

A. FOR PURPOSES OF THIS SECTION, A BUILDING, FACILITY, OR
STRUCTURE SHALL BE CONSIDERED FOR USE AS A DETENTION CENTER
REGARDLESS OF HOW THE PROPOSED USE IS DESCRIBED IN AN APPLICATION OR
PERMIT REQUEST, IF:

1. INDIVIDUALS ARE INTENDED TO BE HELD IN INVOLUNTARY
CUSTODY AND ARE NOT FREE TO LEAVE; OR

2. THE DESIGN, CONSTRUCTION, OR IMPROVEMENTS INCLUDE
FEATURES CONSISTENT WITH SECURE OR INVOLUNTARY CONFINEMENT,
INCLUDING:

A. PERIMETER SECURITY MEASURES DESIGNED TO PREVENT
OCCUPANTS FROM LEAVING;

B. CONTROLLED ACCESS POINTS; OR

C. LOCKED HOLDING AREAS.

B. A DETENTION CENTER IS A PROHIBITED USE IN BALTIMORE COUNTY.

C. THE COUNTY MAY NOT ISSUE A PERMIT FOR A DETENTION CENTER OR
THAT IS RELATED TO A DETENTION CENTER OR AUTHORIZE THE OPERATION OF
A DETENTION CENTER.

C. THE COUNTY SHALL DENY, SUSPEND, OR REVOKE A PERMIT FOR A
DETENTION CENTER OR THAT IS RELATED TO A DETENTION CENTER IF THE

1 PERMIT WAS APPLIED FOR OR ISSUED ON OR AFTER JANUARY 1, 2026.

2 D. THIS SECTION DOES NOT APPLY TO A DETENTION CENTER THAT IS
3 OWNED AND OPERATED BY THE COUNTY OR THE STATE AND THAT HAS BEEN IN
4 OPERATION AS OF JANUARY 1, 2026.

5
6 SECTION 2. AND BE IT FURTHER ENACTED, that, if any provision of this Act or
7 the application of any provision of this Act to any person or circumstance is held invalid for any
8 reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any
9 other application of this Act that can be given effect without the invalid provision or application,
10 and for this purpose the provisions of this Act are declared severable.

11
12 SECTION 3. AND BE IT FURTHER ENACTED, that a detention facility should be
13 owned and operated only by the government because of the great need for standards and
14 oversight; and that allowing any private entity to own or operate such a facility in Baltimore
15 County will negatively impact the health, safety, and welfare of County residents.

16
17 SECTION 4. AND BE IT FURTHER ENACTED, that in accordance with Section
18 308(f) of the Baltimore County Charter, this Act is declared and adopted as an emergency
19 measure to address an immediate emergency affecting public health, safety, and welfare; and
20 having been passed by the affirmative vote of five members of the County Council, shall take
21 effect from the date of its enactment, and shall be applied retroactively to January 1, 2026.