

The PROTECT Act

The PROTECT Act was signed into law on August 5, 2026. It strengthens protections for Massachusetts residents by limiting state and local participation in federal civil immigration enforcement and creating new safeguards in schools, child care facilities, health care settings, courthouses, and other state and local institutions.

	EFFECTIVE DATE
STATE & LOCAL INSTITUTIONS • Gives the Governor authority to limit civil immigration enforcement in nonpublic areas of state facilities. • Requires multilingual guidance for state agencies on interacting with federal immigration authorities.	<i>Temporary guidelines:</i> Sept. 4, 2026 <i>Final guidelines:</i> Feb. 11, 2027
ESSENTIAL COMMUNITY SPACES	
Courthouses • Prohibits civil immigration arrests inside courthouses and on courthouse grounds, including parking lots, without a judicial warrant.	Nov. 3, 2026
Child Care Facilities • Prohibits civil immigration arrests at licensed child care centers, family child care homes, child care programs, and group care facilities without a judicial warrant or order. • Requires statewide policies and training on interactions with ICE.	Sept. 1, 2026
Public & Charter Schools • Prohibits civil immigration arrests on school grounds without a judicial warrant. • Requires DESE to develop guidance, model policies, and training.	Sept. 1, 2026
Health Care • Prohibits civil immigration arrests without a judicial warrant in nonpublic areas of covered health care and group care facilities, including certain nursing homes. • Requires covered facilities to adopt policies for responding to civil immigration enforcement.	Oct. 4, 2026

STANDBY GUARDIANSHIP

Aug. 5, 2026

- Allows parents and legal guardians to plan ahead by arranging for someone to care for their children if they are detained or deported.

LIMITING STATE AND LOCAL INVOLVEMENT IN IMMIGRATION ENFORCEMENT

Sept. 4, 2026

The PROTECT Act establishes important limits on state and local participation in federal civil immigration enforcement:

- Police, sheriffs, and courts generally **cannot ask** about or record a person's **immigration status**, with limited exceptions for certain criminal investigations or when required by law.
- State and local **resources** generally **cannot be used** for federal civil immigration enforcement.
- Police, sheriffs, and courts are generally prohibited from sharing a person's **nonpublic information, custody status, or advance notice of release from custody** with ICE, subject to certain exceptions.
- Police, sheriffs, and courts generally cannot stop, arrest, search, investigate, or detain someone for federal civil immigration enforcement purposes.
- People cannot be detained solely based on an **ICE detainer** (a request from ICE to hold someone for immigration purposes).
- Generally **prohibits** new or expanded **287(g) agreements**, which allow state and local law enforcement to perform certain federal immigration enforcement functions.
- Cities and towns may adopt **stronger protections**.

PROTECTIONS FOR PEOPLE IN DETENTION

Nov. 3, 2026

Requires state and county detention facilities to, among other things:

- notify detainees of their rights in their primary language at intake, **including their right to legal services** and to decline ICE interviews;
- provide **free, regular, and reasonable video access for legal consultations**;
- **provide transportation to court hearings and proceedings**, and document compliance;
- track **custody status** and provide it to detainee's attorney and/or designated contact, and **notify them of any transfer** to another facility;

- provide a **public phone number** for callers to confirm custody.

ADDITIONAL PROTECTIONS

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| • Requires employers to notify employees within 48 hours after receiving notice of an I-9 employment-eligibility inspection by ICE. | <i>Aug. 5, 2026</i> |
| • Strengthens and speeds up the certification process for certain survivors seeking U and T visas, including a 45-day response deadline and 14 days for emergency requests. | <i>Nov. 3, 2026</i> |
| • Allows judges and bail commissioners to consider a final order of removal when determining bail. | <i>Aug. 5, 2026</i> |
| • Creates a Commission on Immigration to study immigration-related issues in Massachusetts. | <i>Nov. 3, 2026</i> |
| • Authorizes the State Auditor to audit immigration detention facilities and certain detention contracts operated by sheriffs or private entities. | <i>Aug. 5, 2026</i> |
| • Allows certain claims involving violations of U.S. constitutional rights by federal officials to be heard in Massachusetts state court. | <i>Aug. 5, 2026</i> |
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