

SENATE BILL 863

E1

4lr1456

By: **Senator Gladden**

Introduced and read first time: January 31, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Misuse of Law Enforcement Personnel or Resources**

3 FOR the purpose of prohibiting a local official or State official from asking or directing
4 a law enforcement officer to perform an activity in the role of a law enforcement
5 officer or to use law enforcement resources to serve a personal purpose of the
6 official that does not promote public safety; providing penalties for a violation of
7 this Act; defining certain terms; and generally relating to misuse of law
8 enforcement personnel or resources.

9 BY adding to
10 Article – Public Safety
11 Section 3–509
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2013 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Public Safety**

17 **3–509.**

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
19 MEANINGS INDICATED.

20 (2) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED
21 IN § 3–101 OF THIS TITLE.

22 (3) “LOCAL OFFICIAL” HAS THE MEANING STATED IN § 3–708 OF
23 THE CRIMINAL LAW ARTICLE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(4) “STATE OFFICIAL” HAS THE MEANING STATED IN § 3-708 OF**
2 **THE CRIMINAL LAW ARTICLE.**

3 **(B) A LOCAL OFFICIAL OR STATE OFFICIAL MAY NOT ASK OR DIRECT A**
4 **LAW ENFORCEMENT OFFICER TO PERFORM AN ACTIVITY IN THE ROLE OF A LAW**
5 **ENFORCEMENT OFFICER OR TO USE LAW ENFORCEMENT RESOURCES TO SERVE**
6 **A PERSONAL PURPOSE OF THE OFFICIAL THAT DOES NOT PROMOTE PUBLIC**
7 **SAFETY.**

8 **(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A**
9 **MISDEMEANOR AND ON CONVICTION:**

10 **(1) IS SUBJECT TO A FINE NOT EXCEEDING \$15,000; AND**

11 **(2) SHALL PAY THE LAW ENFORCEMENT AGENCY THE VALUE OF**
12 **ANY MISUSED LAW ENFORCEMENT RESOURCES.**

13 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
14 **October 1, 2014.**