

HOUSE BILL 433

E4
HB 1526/18 – JUD

9lr0684
CF 9lr0683

By: **Delegates Fraser–Hidalgo, Pena–Melnyk, Atterbeary, Barve, Korman, Shetty,
and Wilkins**

Introduced and read first time: January 31, 2019

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Police Training and Standards Commission – Police Officer**
3 **Certification – Eligibility**
4 **(Freedom to Serve Act)**

5 FOR the purpose of altering the eligibility requirements for an individual to be certified by
6 the Maryland Police Training and Standards Commission as a police officer to
7 require an individual to be either a United States citizen or a certain permanent
8 legal resident of the United States who is an honorably discharged veteran of the
9 United States armed forces; providing for the termination of a certification under
10 certain circumstances; and generally relating to police officer certification.

11 BY repealing and reenacting, with amendments,
12 Article – Public Safety
13 Section 3–209
14 Annotated Code of Maryland
15 (2018 Replacement Volume)

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

18 **Article – Public Safety**

19 3–209.

20 (a) The Commission shall certify as a police officer each individual who:

21 (1) (i) satisfactorily meets the standards of the Commission; or

22 (ii) provides the Commission with sufficient evidence that the
23 individual has satisfactorily completed a training program in another state of equal quality

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 and content as required by the Commission;

2 (2) submits to a psychological evaluation; [and]

3 (3) submits to a criminal history records check in accordance with §
4 3-209.1 of this subtitle; AND

5 (4) (I) IS A UNITED STATES CITIZEN; OR

6 (II) IS A PERMANENT LEGAL RESIDENT OF THE UNITED STATES
7 AND AN HONORABLY DISCHARGED VETERAN OF THE UNITED STATES ARMED
8 FORCES, PROVIDED THAT THE INDIVIDUAL HAS APPLIED TO OBTAIN OR AFFIRMS AN
9 INTENT TO OBTAIN UNITED STATES CITIZENSHIP WITHIN 10 YEARS OF THE
10 EMPLOYMENT START DATE WITH THE LAW ENFORCEMENT AGENCY.

11 (C) THE CERTIFICATION OF A POLICE OFFICER WHO FAILS TO OBTAIN OR
12 APPLY TO OBTAIN UNITED STATES CITIZENSHIP AS REQUIRED BY SUBSECTION
13 (A)(4)(II) OF THIS SECTION SHALL BE TERMINATED BY THE COMMISSION.

14 [(b)] (D) The Commission may certify as a police officer an individual who is not
15 considered a police officer under § 3-201(f)(3) of this subtitle if the individual meets the
16 selection and training standards of the Commission.

17 [(c)] (E) Each certificate issued to a police officer under this subtitle remains the
18 property of the Commission.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2019.