

HOUSE BILL 1364

L2, E4

9lr2926

By: **Prince George's County Delegation**

Introduced and read first time: February 18, 2019

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Special Police – Legal Business Prohibition**

3 **PG 308–19**

4 FOR the purpose of repealing the authority of a certain person in Prince George's County
5 to apply for the appointment of special police officers for a certain purpose;
6 prohibiting the renewal of certain special police officer commissions in Prince
7 George's County; and generally relating to the appointment of special police officers
8 in Prince George's County.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 3–303 and 3–312
12 Annotated Code of Maryland
13 (2018 Replacement Volume)

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

16 **Article – Public Safety**

17 3–303.

18 (a) The following entities may apply for the appointment of special police officers
19 for the following purposes:

20 (1) a municipal corporation, county, or other governmental body of the
21 State, in order to protect property owned, leased, or regularly used by the governmental
22 body or any of its units;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) another state, or subdivision or unit of another state, that has an
2 interest in property located wholly or partly in this State, in order to protect the property;

3 (3) a college, university, or public school system in the State, in order to
4 protect its property or students; or

5 (4) **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION**, a
6 person that exists and functions for a legal business purpose, in order to protect its business
7 property.

8 **(B) IN PRINCE GEORGE'S COUNTY, A PERSON THAT EXISTS AND FUNCTIONS**
9 **FOR A LEGAL BUSINESS PURPOSE MAY NOT APPLY FOR THE APPOINTMENT OF**
10 **SPECIAL POLICE OFFICERS UNDER SUBSECTION (A)(4) OF THIS SECTION.**

11 **[(b)] (C)** The applicant for a commission shall be at least 18 years old.

12 **[(c)] (D)** The Secretary may require training and education for special police
13 officers as the Secretary considers necessary.

14 3-312.

15 (a) An initial commission expires 3 years after its date of issuance.

16 (b) (1) **[At] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**
17 **SUBSECTION, AT** the end of the term of a commission, the commission is renewable for a
18 3-year term if the employer of the special police officer submits to the Secretary:

19 (i) an application in the manner and format designated by the
20 Secretary;

21 (ii) one complete set of the applicant's legible fingerprints taken in a
22 format approved by the Director of the Federal Bureau of Investigation;

23 (iii) the mandatory processing fee required by the Federal Bureau of
24 Investigation for a national criminal history records check; and

25 (iv) subject to paragraph (2) of this subsection, pays to the Secretary
26 a renewal fee of \$60.

27 (2) A renewal fee may not be charged to a unit of the State.

28 **(3) IN PRINCE GEORGE'S COUNTY, A SPECIAL POLICE COMMISSION**
29 **FOR AN EMPLOYEE OF AN ENTITY THAT IS NOT AUTHORIZED TO APPLY FOR THE**
30 **APPOINTMENT OF SPECIAL POLICE OFFICERS UNDER § 3-303(B) OF THIS SUBTITLE**
31 **MAY NOT BE RENEWED AT THE END OF THE TERM OF THE COMMISSION.**

1 (c) (1) The Secretary shall apply to the Central Repository for a national
2 criminal history records check for each applicant for a special police commission.

3 (2) As part of the application for a criminal history records check, the
4 Secretary shall submit to the Central Repository:

5 (i) a complete set of the applicant's legible fingerprints taken in a
6 format approved by the Director of the Federal Bureau of Investigation; and

7 (ii) the mandatory processing fee required by the Federal Bureau of
8 Investigation for a national criminal history records check.

9 (3) The Central Repository shall provide a receipt to the applicant for the
10 fees paid in accordance with paragraph (2)(ii) of this subsection.

11 (4) In accordance with Title 10, Subtitle 2 of the Criminal Procedure
12 Article, the Central Repository shall forward to the applicant and the Secretary a printed
13 statement of the applicant's criminal history information.

14 (5) Information obtained from the Central Repository under this section:

15 (i) is confidential and may not be disseminated; and

16 (ii) may be used only for the purposes authorized by this section.

17 (d) The Secretary may set the deadline for submitting a renewal application to
18 the Secretary.

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