

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1364
Judiciary

(Prince George's County Delegation)

Prince George's County - Special Police - Legal Business Prohibition
PG 308-19

This bill repeals the authority for a person that exists and functions for a legal business purpose, in Prince George's County, to apply for the appointment of special police officers. The bill also prohibits the renewal of a special police officer commission, in Prince George's County, for an employee of an entity that is not authorized to apply for the appointment of special police officers.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: Potential minimal increase in Prince George's County expenditures to the extent that the Prince George's County Police Department provides additional services and assistance to affected entities due to the bill's changes. Revenues are not affected.

Small Business Effect: Potential meaningful. Small businesses in Prince George's County that employ special police officers may be meaningfully affected.

Analysis

Current Law: Under the Public Safety Article, the Governor may appoint and deputize an individual as a special police officer. Such a commission is granted arrest powers, but the scope of each commission is limited to the property cited in the commission. The following entities may apply for the appointment of special police officers for the following purposes:

- a municipal corporation, county, or other governmental body of the State, in order to protect property owned, leased, or regularly used by the governmental body or any of its units;
- another state, or subdivision or unit of another state, that has an interest in property located wholly or partly in this State, in order to protect the property;
- a college, university, or public school system in the State, in order to protect its property or students; or
- a person that exists and functions for a legal business purpose, in order to protect its business property.

An applicant for a commission must be at least age 18. The employer of an applicant must (1) submit an application to the Secretary of State Police; (2) submit a complete set of the applicant's legible fingerprints; and (3) pay a fee to cover the cost of the fingerprint record checks. There is also a nonrefundable application fee of \$100.

An initial commission expires three years after its date of issuance. At the end of a term of a commission, the commission is renewable for a three-year term if, among other things, the employer submits a renewal application, submits a complete set of fingerprints, and pays a fee to cover the cost of the fingerprint record checks. The renewal fee is \$60.

Each individual subject to a criminal history records check (CHRC) is required to pay \$51.25 for a State and national CHRC, which includes a \$20 fingerprinting fee, a \$13.25 Federal Bureau of Investigation fee, and an \$18 fee to the Criminal Justice Information System (CJIS) Central Repository within the Department of Public Safety and Correctional Services. CJIS collects, manages, and disseminates Maryland Criminal History Record Information for criminal justice and noncriminal justice (*e.g.*, employment and licensing) purposes. CJIS is a fingerprint-supported system for positive identification.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

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mm/lgc

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