

SENATE BILL 72

L2
SB 43/19 – JPR

(PRE-FILED)

0lr1201

By: **Senator McCray**

Requested: November 1, 2019

Introduced and read first time: January 8, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Members of the Command Staff of the Police Department –**
3 **Residency Requirements**

4 FOR the purpose of authorizing the Mayor and City Council of Baltimore City to require
5 certain members of the command staff of the Police Department of Baltimore City to
6 reside in Baltimore City; requiring a certain local law, ordinance, or policy enacted
7 or adopted by the Mayor and City Council of Baltimore City to include certain
8 provisions; providing for the application of a certain local law, ordinance, or policy
9 enacted or adopted by the Mayor and City Council of Baltimore City; and generally
10 relating to residency requirements for members of the command staff of the Police
11 Department of Baltimore City.

12 BY repealing and reenacting, without amendments,
13 The Public Local Laws of Baltimore City
14 Section 16–1(6), (7), and (8)
15 Article 4 – Public Local Laws of Maryland
16 (1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

17 BY adding to
18 The Public Local Laws of Baltimore City
19 Section 16–2A
20 Article 4 – Public Local Laws of Maryland
21 (1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

24 **Article 4 – Baltimore City**

25 16–1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 The following words and phrases as used in this subtitle shall have or include the
2 following meanings.

3 (6) "Members of the department" shall mean and include all persons and
4 personnel employed by the department, whether civilian employees or police officers.

5 (7) "Police officers" shall mean all those members of the department having
6 and exercising the powers of police officers, as provided in this subtitle, and shall
7 specifically include the Police Commissioner of Baltimore City, all deputy police
8 commissioners, and such other ranks or positions which the Commissioner may determine
9 require experience as a police officer as a prerequisite.

10 (8) "Civilian employees" shall mean all members of the department other
11 than police officers.

12 **16-2A.**

13 (A) **SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE MAYOR AND CITY**
14 **COUNCIL OF BALTIMORE CITY MAY REQUIRE MEMBERS OF THE COMMAND STAFF**
15 **OF THE DEPARTMENT, AT THE RANK OF CAPTAIN OR ABOVE, TO RESIDE IN**
16 **BALTIMORE CITY.**

17 (B) **A LOCAL LAW, ORDINANCE, OR POLICY ENACTED OR ADOPTED BY THE**
18 **MAYOR AND CITY COUNCIL OF BALTIMORE CITY UNDER THIS SECTION SHALL**
19 **INCLUDE PROVISIONS FOR GRANTING A WAIVER OR EXEMPTION FROM THE LOCAL**
20 **LAW, ORDINANCE, OR POLICY FOR A MEMBER OF THE COMMAND STAFF WHO IS**
21 **MARRIED TO AN INDIVIDUAL WHO IS EMPLOYED BY A GOVERNMENTAL ENTITY THAT**
22 **HAS SIMILAR EMPLOYEE RESIDENCY REQUIREMENTS.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That a local law, ordinance, or
24 policy enacted or adopted by the Mayor and City Council of Baltimore City in accordance
25 with this Act shall be construed to apply only prospectively and may not be applied or
26 interpreted to have any effect on or application to the continued employment of any
27 individual employed by the Police Department of Baltimore City before the effective date
28 of the local law, ordinance, or policy.

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2020.