

SENATE BILL 72

L2
SB 43/19 – JPR

(PRE-FILED)

0lr1201
CF 0lr3593

By: **Senator McCray**

Requested: November 1, 2019

Introduced and read first time: January 8, 2020

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 4, 2020

CHAPTER _____

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article 4 – Baltimore City**

4 16–1.

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

7 (6) “Members of the department” shall mean and include all persons and
8 personnel employed by the department, whether civilian employees or police officers.

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

14 (8) “Civilian employees” shall mean all members of the department other
15 than police officers.

16 **16–2A.**

17 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, BEGINNING ON OR
18 AFTER JANUARY 1, 2022, THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY MAY
19 REQUIRE MEMBERS OF THE COMMAND STAFF OF THE DEPARTMENT, AT THE RANK
20 OF ~~CAPTAIN OR ABOVE,~~ COLONEL OR DEPUTY COMMISSIONER, TO RESIDE IN
21 BALTIMORE CITY.

22 (B) A LOCAL LAW, ORDINANCE, OR POLICY ENACTED OR ADOPTED BY THE
23 MAYOR AND CITY COUNCIL OF BALTIMORE CITY UNDER THIS SECTION SHALL
24 INCLUDE PROVISIONS:

25 (1) THAT PROVIDE AN INDIVIDUAL A PERIOD OF 120 DAYS AFTER THE
26 DATE OF PROMOTION TO OR HIRE FOR THE RANK OF COLONEL OR DEPUTY
27 COMMISSIONER TO BEGIN TO RESIDE IN BALTIMORE CITY;

28 (2) THAT PROVIDE AN EXEMPTION FROM THE LOCAL LAW,
29 ORDINANCE, OR POLICY FOR A MEMBER WHO IS PROMOTED TO THE RANK OF
30 DEPUTY COMMISSIONER IF, ON JANUARY 1, 2022, THAT MEMBER HOLDS THE RANK
31 OF COLONEL; AND

32 (3) FOR GRANTING A WAIVER OR EXEMPTION FROM THE LOCAL LAW,
33 ORDINANCE, OR POLICY FOR A MEMBER OF THE COMMAND STAFF WHO IS MARRIED

1 TO AN INDIVIDUAL WHO IS EMPLOYED BY A GOVERNMENTAL ENTITY THAT HAS
2 SIMILAR EMPLOYEE RESIDENCY REQUIREMENTS.

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.