

# SENATE BILL 673

M1, P4

2lr2249

---

By: **Senator Bailey**

Introduced and read first time: February 4, 2022

Assigned to: Judicial Proceedings

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources Police Force – Employees – Authority of Secretary**

3 FOR the purpose of altering the authority of the Secretary of Natural Resources with  
4 respect to hiring, promoting, and transferring employees of the Natural Resources  
5 Police Force; requiring the Department of Natural Resources to include advertising  
6 that is targeted toward certain underrepresented racial and ethnic communities  
7 when advertising for or recruiting new Natural Resources police officers; and  
8 generally relating to the Natural Resources Police Force.

9 BY renumbering

10 Article – Natural Resources  
11 Section 1–201 and 1–201.1, respectively  
12 to be Section 1–201.1 and 1–201.2, respectively  
13 Annotated Code of Maryland  
14 (2018 Replacement Volume and 2021 Supplement)

15 BY repealing

16 Article – Natural Resources  
17 Section 1–107  
18 Annotated Code of Maryland  
19 (2018 Replacement Volume and 2021 Supplement)

20 BY adding to

21 Article – Natural Resources  
22 Section 1–201 and 1–203.1  
23 Annotated Code of Maryland  
24 (2018 Replacement Volume and 2021 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – Natural Resources  
27 Section 1–203

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2018 Replacement Volume and 2021 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
4 That Section(s) 1–201 and 1–201.1, respectively, of Article – Natural Resources of the  
5 Annotated Code of Maryland be renumbered to be Section(s) 1–201.1 and 1–201.2,  
6 respectively.

7 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
8 as follows:

9 **Article – Natural Resources**

10 **[1–107.**

11 (a) This section applies to Natural Resources police officers and employees  
12 commissioned as law enforcement officers of the State Forest and Park Service.

13 (b) (1) Notwithstanding any other provision of law, the Secretary may appoint  
14 without examination:

15 (i) A law enforcement officer who holds a commissioned rank to the  
16 rank of Major; and

17 (ii) A law enforcement officer who holds a commissioned rank of not  
18 less than Captain to the rank of Lieutenant Colonel.

19 (2) A law enforcement officer appointed in accordance with this subsection  
20 continues to serve at the pleasure of the Secretary.

21 (3) Notwithstanding any other provision of law, on termination of an  
22 appointment under this subsection, the Secretary may:

23 (i) Return the law enforcement officer to a vacant law enforcement  
24 officer position; or

25 (ii) Promote the law enforcement officer to a higher rank to which  
26 the law enforcement officer became eligible for promotion during the appointment.

27 (c) In cases of inconsistency between this section and the provisions of the State  
28 Personnel and Pensions Article, the provisions of this section shall control as to all matters  
29 relating to the appointment of a law enforcement officer of the Department to the rank of  
30 Major or Lieutenant Colonel.]

31 **1–201.**

1           (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
2 INDICATED.

3           (B) “CIVILIAN CLASSIFICATION” MEANS THE POSITION HELD BY A CIVILIAN  
4 EMPLOYEE.

5           (C) “CIVILIAN EMPLOYEE” MEANS AN EMPLOYEE OF THE NATURAL  
6 RESOURCES POLICE FORCE OTHER THAN A NATURAL RESOURCES POLICE  
7 OFFICER.

8           (D) (1) “COMMISSIONED RANK” MEANS THE RANKS OF LIEUTENANT,  
9 CAPTAIN, MAJOR, AND LIEUTENANT COLONEL.

10                   (2) “COMMISSIONED RANK” DOES NOT INCLUDE THE SECRETARY.

11           (E) “GRADE” MEANS THE STATUS OF NATURAL RESOURCES POLICE  
12 OFFICERS WHO HAVE THE SAME PRIMARY AREAS OF DUTY AND RESPONSIBILITY  
13 WITHIN A RANK.

14           (F) “NATURAL RESOURCES POLICE OFFICER” MEANS AN EMPLOYEE OF  
15 THE NATURAL RESOURCES POLICE FORCE TO WHOM THE SECRETARY ASSIGNS  
16 POLICE POWERS UNDER § 1-204 OF THIS SUBTITLE.

17           (G) (1) “NONCOMMISSIONED RANK” MEANS A RANK OTHER THAN A  
18 COMMISSIONED RANK.

19                   (2) “NONCOMMISSIONED RANK” DOES NOT INCLUDE THE  
20 SECRETARY.

21           (H) “RANK” MEANS THE STATUS, ESTABLISHED BY RULE, OF POLICE  
22 EMPLOYEES WHO HAVE THE SAME RELATIVE POSITION IN THE CHAIN OF COMMAND.

23           (I) (1) “RULE” MEANS A RULE, AN ORDER, OR ANY OTHER DIRECTIVE  
24 ADOPTED BY THE SECRETARY UNDER THIS SUBTITLE.

25                   (2) “RULE” DOES NOT INCLUDE A REGULATION WITHIN THE MEANING  
26 OF TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE.

27 1-203.

28           (a) (1) The Secretary shall, within the limits of any appropriation made for  
29 this purpose, appoint Natural Resources police officers as the Secretary deems necessary  
30 for the efficient administration of the Natural Resources Police Force.

1           **(2)** All appointments shall be made from a list of eligible persons prepared  
2 in accordance with the provisions of the State Personnel and Pensions Article.

3           **(3) EACH APPOINTEE TO THE NATURAL RESOURCES POLICE FORCE**  
4 **SHALL:**

5                   **(I) BE A RESIDENT OF THE STATE ON THE DATE OF**  
6 **APPOINTMENT; AND**

7                   **(II) HAVE THE CHARACTER, EDUCATION, AND OTHER**  
8 **QUALIFICATIONS ESTABLISHED BY THE SECRETARY UNDER THIS SUBTITLE.**

9           **(4) WHEN THE DEPARTMENT ADVERTISES FOR OR RECRUITS NEW**  
10 **NATURAL RESOURCES POLICE OFFICERS, THE DEPARTMENT SHALL INCLUDE**  
11 **ADVERTISING THAT IS TARGETED TOWARD RACIAL AND ETHNIC COMMUNITIES OR**  
12 **OTHER INDIVIDUALS WHO ARE UNDERREPRESENTED IN THE NATURAL RESOURCES**  
13 **POLICE WORKFORCE, INCLUDING ADVERTISING IN NEWSPAPERS OR ON RADIO**  
14 **STATIONS WHOSE PRIMARY AUDIENCE IS THE UNDERREPRESENTED COMMUNITIES**  
15 **AND INDIVIDUALS.**

16           (b) The Secretary shall issue to each person appointed as a Natural Resources  
17 police officer a commission and badge stating "Natural Resources Police Officer".

18           (c) Except when on detective duty, every Natural Resources police officer shall  
19 wear in plain view a "Natural Resources Police Officer" badge when acting in [his] AN  
20 official capacity.

21           (d) The badge is property of the State, and upon the termination of a commission  
22 of any Natural Resources police officer, it shall be returned with the commission to the  
23 Secretary.

24           (e) **(1)** All Natural Resources police officers, including persons appointed for  
25 training prior to regular assignment as a Natural Resources police officer, shall remain in  
26 a probationary status for a period of 2 years from the date of initial appointment to the  
27 Natural Resources Police Force.

28           **(2)** The Secretary may discharge an employee in probationary status for  
29 any cause which is deemed sufficient in the sole discretion of the Secretary.

30           (f) **(1)** [Subject to § 1–107 of this title, in] **IN** cases of inconsistency between  
31 this subtitle and the provisions of the State Personnel and Pensions Article, the provisions  
32 of this subtitle shall control as to all matters relating to the Natural Resources Police Force.

33           **(2) EXCEPT AS EXPRESSLY PROVIDED IN THIS SUBTITLE, THE STATE**  
34 **PERSONNEL AND PENSIONS ARTICLE DOES NOT APPLY TO OR AFFECT THE**

1 COMPENSATION, RANK, GRADE, OR STATUS OF NATURAL RESOURCES POLICE  
2 OFFICERS.

3 (3) EXCEPT AS EXPRESSLY PROVIDED IN THIS SUBTITLE, THE  
4 COMPENSATION, CIVILIAN CLASSIFICATION, AND STATUS OF CIVILIAN EMPLOYEES  
5 OF THE NATURAL RESOURCES POLICE FORCE SHALL BE DETERMINED IN  
6 ACCORDANCE WITH THE STATE PERSONNEL AND PENSIONS ARTICLE.

7 1-203.1.

8 (A) IN THIS SECTION, "OBSOLETE RANK" MEANS A RANK DESIGNATED BY  
9 THE SECRETARY TO WHICH NO FURTHER PROMOTIONS WILL BE MADE.

10 (B) THE SECRETARY SHALL MAKE ALL PROMOTIONS.

11 (C) (1) PROMOTION TO A RANK SHALL BE MADE IN THE MANNER  
12 REQUIRED BY RULE.

13 (2) FOR A NONCOMMISSIONED RANK THAT HAS FEWER THAN 25  
14 NATURAL RESOURCES POLICE OFFICERS, THE SECRETARY BY RULE MAY DIRECT  
15 THAT IT IS UNNECESSARY TO FILL THE NONCOMMISSIONED RANK FOR PURPOSES OF  
16 PROMOTION.

17 (3) (I) THIS PARAGRAPH DOES NOT APPLY TO A RANK THAT  
18 REQUIRES TECHNICAL KNOWLEDGE.

19 (II) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,  
20 A NATURAL RESOURCES POLICE OFFICER MAY NOT BE APPOINTED OR PROMOTED  
21 TO A RANK UNLESS THE OFFICER:

22 1. IS BYPASSING AN OBSOLETE RANK AND CURRENTLY  
23 FILLS THE RANK IMMEDIATELY BELOW THE OBSOLETE RANK; OR

24 2. HAS FILLED THE RANK IMMEDIATELY BELOW THE  
25 RANK TO WHICH THE OFFICER IS TO BE PROMOTED.

26 (D) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE  
27 SECRETARY MAY APPOINT WITHOUT EXAMINATION:

28 (I) A NATURAL RESOURCES POLICE OFFICER WHO HOLDS A  
29 COMMISSIONED RANK TO THE RANK OF MAJOR; AND

1                   **(II) A NATURAL RESOURCES POLICE OFFICER WHO HOLDS A**  
2 **COMMISSIONED RANK OF NOT LESS THAN CAPTAIN TO THE RANK OF LIEUTENANT**  
3 **COLONEL.**

4                   **(2) A NATURAL RESOURCES POLICE OFFICER APPOINTED IN**  
5 **ACCORDANCE WITH THIS SUBSECTION CONTINUES TO SERVE AT THE PLEASURE OF**  
6 **THE SECRETARY.**

7                   **(3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ON**  
8 **TERMINATION OF AN APPOINTMENT UNDER THIS SUBSECTION, THE NATURAL**  
9 **RESOURCES POLICE OFFICER MAY:**

10                   **(I) RETURN TO THE RANK HELD BEFORE THE APPOINTMENT;**  
11 **OR**

12                   **(II) BE PROMOTED TO A HIGHER RANK TO WHICH THE OFFICER**  
13 **BECAME ELIGIBLE FOR PROMOTION DURING THE APPOINTMENT.**

14                   **(E) AN INCUMBENT NATURAL RESOURCES POLICE OFFICER IN AN**  
15 **OBSOLETE RANK REMAINS IN THAT RANK UNTIL PROMOTED, DEMOTED, RETIRED,**  
16 **OR TERMINATED.**

17                   **(F) PROMOTIONS OF CIVILIAN EMPLOYEES OF THE NATURAL RESOURCES**  
18 **POLICE FORCE SHALL BE MADE IN ACCORDANCE WITH THE STATE PERSONNEL AND**  
19 **PENSIONS ARTICLE.**

20                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2022.