

HB0430/653027/1

BY: Delegate Pippy

AMENDMENTS TO HOUSE BILL 430, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judiciary Committee Amendments (HB0430/193528/1), in Amendment No. 1, strike beginning with “**Maryland**” in line 3 down through “**Officer**” in line 4 and substitute “**Police Officers – Time Limit for Filing Administrative Charges and Notification of Action Filed**”; in line 5, before “requiring” insert “requiring an administrative charging committee or law enforcement agency to file any administrative charges for alleged police officer misconduct that reasonably appears to be the subject of a criminal investigation within a certain period of time;”; and in line 8, strike “the Maryland Police Training and Standards Commission” and substitute “police officers”.

On page 1 of the bill, after line 11, insert:

“BY repealing and reenacting, with amendments,
Article - Public Safety
Section 3-113
Annotated Code of Maryland
(2022 Replacement Volume)”.

AMENDMENT NO. 2

On page 2 of the bill, after line 2, insert:

“Article – Public Safety

3–113.

(a) The investigating unit of a law enforcement agency shall immediately review a complaint by a member of the public alleging police officer misconduct.

(b) An administrative charging committee shall review and make a determination or ask for further review within 30 days after completion of the investigating unit's review.

(c) The process of review by the investigating unit through disposition by the administrative charging committee shall be completed within 1 year and 1 day after the filing of a complaint by a citizen.

(D) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, A LAW ENFORCEMENT AGENCY SHALL FILE ANY ADMINISTRATIVE CHARGES ARISING OUT OF AN INVESTIGATION OF ALLEGED POLICE OFFICER MISCONDUCT THAT IS NOT REQUIRED TO BE REVIEWED BY AN ADMINISTRATIVE CHARGING COMMITTEE WITHIN 1 YEAR AND 1 DAY FROM THE DATE THAT THE LAW ENFORCEMENT AGENCY IS MADE AWARE OF THE INCIDENT THAT LED TO THE INVESTIGATION.

(E) IF ALLEGED POLICE OFFICER MISCONDUCT IS RELATED TO ACTIVITY THAT REASONABLY APPEARS TO BE THE SUBJECT OF A CRIMINAL INVESTIGATION, AN ADMINISTRATIVE CHARGING COMMITTEE OR LAW ENFORCEMENT AGENCY SHALL FILE ANY ADMINISTRATIVE CHARGES WITHIN 1 YEAR AND 1 DAY FROM THE DATE OF:

(1) THE INVESTIGATING LAW ENFORCEMENT AGENCY'S DETERMINATION THAT THE MATTER IS NOT RELATED TO CRIMINAL ACTIVITY;

(2) THE FINAL DISPOSITION OF ALL RELATED CRIMINAL CHARGES;

OR

(3) THE ADMINISTRATIVE CHARGING COMMITTEE OR LAW ENFORCEMENT AGENCY'S RECEIPT OF NOTICE THAT THE APPROPRIATE PROSECUTORIAL AUTHORITY DECLINED TO FILE CRIMINAL CHARGES.

On page 1 of the Judiciary Committee Amendments, in line 3 of Amendment No. 2, strike "**Article – Public Safety**".