

HOUSE BILL 1077

E4

3lr1067

By: **Delegates Pasteur, Addison, Cardin, Clippinger, Conaway, Embry, Simpson, and Stein**

Introduced and read first time: February 10, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Department of State Police – Reproducing or Distributing Logo for Commercial**
3 **Purposes – Prohibition**

4 FOR the purpose of prohibiting a person, without the authority of the Secretary of State
5 Police, from reproducing or distributing for commercial purposes a shield, badge, or
6 shoulder patch adopted by the Department of State Police to be worn by its members;
7 and generally relating to the Department of State Police.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 3–502
11 Annotated Code of Maryland
12 (2022 Replacement Volume)

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

15 **Article – Public Safety**

16 3–502.

17 (a) In this section, “police officer” means a member of:

18 (1) a police force of this State or another state;

19 (2) a police force of a county or municipal corporation of this State or
20 another state;

21 (3) the United States Secret Service Uniformed Division;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (4) the United States Park Police;
- 2 (5) the Washington Metropolitan Area Transit Authority (WMATA) Metro
3 Transit Police;
- 4 (6) the Federal Bureau of Investigation;
- 5 (7) the Drug Enforcement Administration; or
- 6 (8) a division of a federal agency the primary duties of which are the
7 investigation, apprehension, or detention of individuals suspected or convicted of federal
8 crimes.

9 (b) A person may not, with fraudulent design on person or property, falsely
10 represent that the person is a police officer, special police officer, sheriff, deputy sheriff, or
11 constable.

12 (c) Except as provided in subsection (e) of this section, a person may not have,
13 use, wear, or display a uniform, shield, button, ornament, badge, identification, or shoulder
14 patch adopted by the Department of State Police to be worn by its members, insignia, or
15 emblem of office, as is worn by a police officer, sheriff, deputy sheriff, or constable.

16 (d) A person may not, for the purpose of deception, have a simulation or imitation
17 of an article described in subsection (c) of this section as is worn by a police officer, sheriff,
18 deputy sheriff, or constable.

19 (e) A person may have, use, wear, or display an article described in subsection (c)
20 of this section with the appropriate authority of:

- 21 (1) the Secretary of State Police;
- 22 (2) a police force of another state;
- 23 (3) the Police Commissioner of Baltimore City;
- 24 (4) the chief of police of a county or municipal corporation of this State or
25 another state;
- 26 (5) a sheriff or deputy sheriff;
- 27 (6) a constable;
- 28 (7) the United States Secret Service Uniformed Division;
- 29 (8) the United States Park Police;

1 (9) the Washington Metropolitan Area Transit Authority (WMATA) Metro
2 Transit Police;

3 (10) the Federal Bureau of Investigation;

4 (11) the Drug Enforcement Administration; or

5 (12) a division of a federal agency the primary duties of which are the
6 investigation, apprehension, or detention of individuals suspected or convicted of federal
7 crimes.

8 **(F) A PERSON MAY NOT, WITHOUT THE AUTHORITY OF THE SECRETARY OF**
9 **STATE POLICE, REPRODUCE OR DISTRIBUTE FOR COMMERCIAL PURPOSES THE**
10 **SHIELD, BADGE, OR SHOULDER PATCH ADOPTED BY THE DEPARTMENT OF STATE**
11 **POLICE TO BE WORN BY ITS MEMBERS.**

12 **[(f)] (G)** A person who violates this section is guilty of a misdemeanor and on
13 conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding \$2,000
14 or both.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2023.