

# HOUSE BILL 1077

E4

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

Introduced and read first time: February 10, 2023

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2023

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## CHAPTER \_\_\_\_\_

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;

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

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

4                   (4)    the United States Park Police;

5                   (5)    the Washington Metropolitan Area Transit Authority (WMATA) Metro  
6 Transit Police;

7                   (6)    the Federal Bureau of Investigation;

8                   (7)    the Drug Enforcement Administration; or

9                   (8)    a division of a federal agency the primary duties of which are the  
10 investigation, apprehension, or detention of individuals suspected or convicted of federal  
11 crimes.

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

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

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

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

24                   (1)    the Secretary of State Police;

25                   (2)    a police force of another state;

26                   (3)    the Police Commissioner of Baltimore City;

27                   (4)    the chief of police of a county or municipal corporation of this State or  
28 another state;

29                   (5)    a sheriff or deputy sheriff;

30                   (6)    a constable;

1 (7) the United States Secret Service Uniformed Division;

2 (8) the United States Park Police;

3 (9) the Washington Metropolitan Area Transit Authority (WMATA) Metro  
4 Transit Police;

5 (10) the Federal Bureau of Investigation;

6 (11) the Drug Enforcement Administration; or

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

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.