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By: **Senator Collins**  
Introduced and read first time: February 2, 2001  
Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable  
Senate action: Adopted  
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CHAPTER 153

1 AN ACT concerning

2 **Education - School Security - School Resource Officer**

3 FOR the purpose of authorizing a certain officer to deny access to certain areas of  
4 certain institutions; authorizing a certain officer to demand identification and  
5 evidence of qualification of persons on the premises of certain institutions;  
6 adding a certain definition; and generally relating to school security.

7 BY repealing and reenacting, with amendments,  
8 Article - Education  
9 Section 26-102  
10 Annotated Code of Maryland  
11 (1999 Replacement Volume and 2000 Supplement)

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

14 **Article - Education**

15 26-102.

16 (a) IN THIS SECTION, "SCHOOL RESOURCE OFFICER" MEANS A LAW  
17 ENFORCEMENT OFFICER AS DEFINED UNDER ARTICLE 27, § 727(B) OF THE CODE  
18 THAT HAS BEEN ASSIGNED TO A SCHOOL IN ACCORDANCE WITH A MEMORANDUM OF  
19 UNDERSTANDING BETWEEN THE CHIEF OF A LAW ENFORCEMENT AGENCY AS  
20 DEFINED UNDER ARTICLE 27, § 727(G) OF THE CODE AND THE LOCAL EDUCATION  
21 AGENCY.

1 (B) The governing board, president, superintendent, [or] principal, OR  
2 SCHOOL RESOURCE OFFICER of any public institution of elementary, secondary, or  
3 higher education, or a person designated in writing by the board or any of these  
4 persons, may deny access to the buildings or grounds of the institution to any OTHER  
5 person who:

6 (1) Is not a bona fide, currently registered student, or staff or faculty  
7 member at the institution, and who does not have lawful business to pursue at the  
8 institution; or

9 (2) Is a bona fide, currently registered student at the institution and has  
10 been suspended or expelled from the institution, for the duration of the suspension or  
11 expulsion; or

12 (3) Acts in a manner that disrupts or disturbs the normal educational  
13 functions of the institution.

14 [(b)] (C) Administrative personnel, [and] authorized employees of any public  
15 institution of elementary, secondary, or higher education, AND PERSONS DESIGNATED  
16 IN SUBSECTION (B) OF THIS SECTION may demand identification and evidence of  
17 qualification from any person who desires to use or enter the premises of the  
18 institution.

19 [(c)] (D) The governing board of any public institution of elementary,  
20 secondary, or higher education may enter into an agreement with appropriate law  
21 enforcement agencies to carry out the responsibilities of this section when:

22 (1) The institution is closed; or

23 (2) None of the persons designated in subsection [(a)] (B) of this section  
24 are present in the buildings or on the grounds of the institution.

25 [(d)] (E) A person is guilty of a misdemeanor and on conviction is subject to a  
26 fine not exceeding \$1,000, imprisonment not exceeding 6 months, or both if he:

27 (1) Trespasses on the grounds of any public institution of elementary,  
28 secondary, or higher education;

29 (2) Fails or refuses to leave the grounds of any of these institutions after  
30 being requested to do so by [an authorized employee of the institution] A PERSON  
31 DESIGNATED IN SUBSECTION (B) OF THIS SECTION AS BEING AUTHORIZED TO DENY  
32 ACCESS TO THE BUILDINGS OR GROUNDS OF THE INSTITUTION; or

33 (3) Willfully damages or defaces any building, furnishing, statue,  
34 monument, memorial, tree, shrub, grass, or flower on the grounds of any of these  
35 institutions.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
37 July 1, 2001.

