

SENATE BILL 661

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2002 Regular Session
(21r1645)

ENROLLED BILL
-- Judicial Proceedings/Judiciary --

Introduced by **Senator Exum**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 331

1 AN ACT concerning

2 **Prince George's County - ~~Police Department~~ Law Enforcement - Settlement**
3 **Agreements Reports**

4 FOR the purpose of ~~providing that a settlement agreement entered into by a person,~~
5 ~~who had a claim or filed a civil action against the Prince George's County Police~~
6 ~~Department, and the Prince George's County Police Department is a matter of~~
7 ~~public record; requiring the Chief of Police of the Prince George's County Police~~
8 ~~Department to make the terms of the settlement agreement available to the~~
9 ~~public; prohibiting a court from sealing the terms of certain settlement~~
10 ~~agreements; providing for the application of this Act requiring Prince George's~~
11 ~~County to report each year to certain persons on the total number of settlements of~~
12 ~~tort claims involving law enforcement activities and the annual expenditures of~~
13 ~~the county for those settlements; and generally relating to settlement agreements~~
14 ~~with the settlements of tort claims involving law enforcement activities in Prince~~
15 ~~George's County Police Department.~~

16 BY adding to

1 The Public Local Laws of Prince George's County
 2 Section 18-146.02
 3 Article 17 - Public Local Laws of Maryland
 4 (1999 Edition and 2000 Supplement, as amended)

5 ~~BY adding to~~
 6 ~~Article—Courts and Judicial Proceedings~~
 7 ~~Section 6-411~~
 8 ~~Annotated Code of Maryland~~
 9 ~~(1998 Replacement Volume and 2001 Supplement)~~

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

12 **Article 17 - Prince George's County**

13 18-146.02.

14 ~~(A) ANY SETTLEMENT AGREEMENT ENTERED INTO BY A PERSON, WHO HAD A~~
 15 ~~CLAIM OR FILED A CIVIL ACTION AGAINST THE PRINCE GEORGE'S COUNTY POLICE~~
 16 ~~DEPARTMENT, AND THE PRINCE GEORGE'S COUNTY POLICE DEPARTMENT IS A~~
 17 ~~MATTER OF PUBLIC RECORD.~~

18 ~~(B) THE CHIEF OF POLICE SHALL MAKE THE TERMS OF THE SETTLEMENT~~
 19 ~~AGREEMENT AVAILABLE TO THE PUBLIC UNDER SUBTITLE 6 OF TITLE 10 OF THE~~
 20 ~~STATE GOVERNMENT ARTICLE.~~

21 ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE COUNTY SHALL REPORT TO
 22 THE COUNTY COUNCIL, AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT
 23 ARTICLE, TO THE COUNTY DELEGATIONS OF THE HOUSE OF DELEGATES AND THE
 24 SENATE OF MARYLAND, ON THE TOTAL NUMBER OF SETTLEMENTS OF TORT CLAIMS
 25 INVOLVING LAW ENFORCEMENT ACTIVITIES IN THE COUNTY AND THE TOTAL
 26 EXPENDITURES MADE IN THE PRECEDING FISCAL YEAR FOR THOSE SETTLEMENTS.

27 ~~Article—Courts and Judicial Proceedings~~

28 ~~6-411.~~

29 ~~A COURT MAY NOT SEAL THE TERMS OF A SETTLEMENT AGREEMENT IN AN~~
 30 ~~ACTION AGAINST THE PRINCE GEORGE'S COUNTY POLICE DEPARTMENT.~~

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
 32 construed to apply only prospectively and may not be applied or interpreted to have
 33 any effect on or application to any settlement agreement in an action against the
 34 Prince George's County Police Department entered into before the effective date of
 35 this Act.

1 SECTION ~~2. 3. 2.~~ AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2002.