

HOUSE BILL 313

Unofficial Copy
E4

2004 Regular Session
4r0629

By: **Delegates DeBoy, Aumann, Boteler, Bromwell, Cadden, Cluster,
Eckardt, Elmore, Frank, Gaines, Goodwin, Griffith, Haynes, Hennessy,
Jameson, Malone, Minnick, Mitchell, Paige, Quinter, and Weir**

Introduced and read first time: January 28, 2004

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 17, 2004

CHAPTER 167

1 AN ACT concerning

2 **Public Safety - Impersonating a Law Enforcement Officer - Increased**
3 **Penalties**

4 FOR the purpose of increasing the maximum criminal penalties for impersonating a
5 law enforcement officer; and generally relating to impersonating a law
6 enforcement officer.

7 BY repealing and reenacting, with amendments,
8 Article - Public Safety
9 Section 3-502
10 Annotated Code of Maryland
11 (2003 Volume)

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

14 **Article - Public Safety**

15 3-502.

16 (a) In this section, "police officer" means a member of:

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

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

- 1 (3) the United States Secret Service Uniformed Division;
- 2 (4) the United States Park Police;
- 3 (5) the Federal Bureau of Investigation;
- 4 (6) the Drug Enforcement Administration; or
- 5 (7) a division of a federal agency the primary duties of which are the
6 investigation, apprehension, or detention of individuals suspected or convicted of
7 federal crimes.

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

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

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

19 (e) A person may have, use, wear, or display an article described in subsection
20 (c) 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;
- 30 (9) the Federal Bureau of Investigation;
- 31 (10) the Drug Enforcement Administration; or

1 (11) a division of a federal agency the primary duties of which are the
2 investigation, apprehension, or detention of individuals suspected or convicted of
3 federal crimes.

4 (f) A person who violates this section is guilty of a misdemeanor and on
5 conviction is subject to imprisonment not exceeding [6 months] 2 YEARS or a fine not
6 exceeding [\$100] \$2,000 or both.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect October 1, 2004.