

# HOUSE BILL 108

E4

8lr1082

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By: **Delegates Branch, Anderson, Stukes, and Tarrant**

Introduced and read first time: January 16, 2008

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - Electronic Weapons - Prohibition**

3 FOR the purpose of prohibiting a person from possessing, using, selling, distributing,  
4 offering to sell or distribute, or transporting into the State a certain electronic  
5 weapon; creating a certain exception; establishing penalties for a violation of  
6 this Act; requiring the Police Training Commission to require that certain  
7 curriculum and minimum courses of study include certain training; defining  
8 certain terms; and generally relating to electronic weapons.

9 BY adding to

10 Article - Criminal Law

11 Section 4-109

12 Annotated Code of Maryland

13 (2002 Volume and 2007 Supplement)

14 BY repealing and reenacting, with amendments,

15 Article - Public Safety

16 Section 3-207

17 Annotated Code of Maryland

18 (2003 Volume and 2007 Supplement)

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

21 **Article - Criminal Law**

22 **4-109.**

23 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
24 MEANINGS INDICATED.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





1 (3) to inspect police training schools;

2 (4) to revoke, for cause, the approval or certificate of approval issued  
3 to a police training school;

4 (5) to establish the following for police training schools:

5 (i) curriculum;

6 (ii) minimum courses of study;

7 (iii) attendance requirements;

8 (iv) eligibility requirements;

9 (v) equipment and facilities;

10 (vi) standards of operation; and

11 (vii) minimum qualifications for instructors;

12 (6) to require, for entrance-level police training and at least every 3  
13 years for in-service level police training conducted by the State and each county and  
14 municipal police training school, that the curriculum and minimum courses of study  
15 include special training, attention to, and study of the application and enforcement of  
16 the criminal laws concerning rape and sexual offenses, including:

17 (i) the sexual abuse of children;

18 (ii) related evidentiary procedures; and

19 (iii) the contact with and treatment of victims of these crimes;

20 **(7) TO REQUIRE, FOR ENTRANCE-LEVEL POLICE TRAINING AND**  
21 **AT LEAST EVERY 3 YEARS FOR IN-SERVICE LEVEL POLICE TRAINING**  
22 **CONDUCTED BY THE STATE AND EACH COUNTY AND MUNICIPAL POLICE**  
23 **TRAINING SCHOOL, THAT THE CURRICULUM AND MINIMUM COURSES OF STUDY**  
24 **INCLUDE SPECIAL TRAINING IN THE PROPER USE OF ELECTRONIC WEAPONS, AS**  
25 **DEFINED IN § 4-109 OF THE CRIMINAL LAW ARTICLE, CONSISTENT WITH**  
26 **ESTABLISHED LAW ENFORCEMENT STANDARDS AND FEDERAL AND STATE**  
27 **CONSTITUTIONAL PROVISIONS;**

28 ~~[(7)]~~ **(8)** to certify and issue appropriate certificates to qualified  
29 instructors for police training schools authorized by the Commission to offer police  
30 training programs;

1            ~~[(8)]~~**(9)**        to verify that police officers have satisfactorily completed  
2 training programs and issue diplomas to those police officers;

3            ~~[(9)]~~**(10)**     to conduct and operate police training schools authorized by  
4 the Commission to offer police training programs;

5            ~~[(10)]~~ **(11)**    to make a continuous study of entrance-level and in-service  
6 training methods and procedures;

7            ~~[(11)]~~ **(12)**    to consult with and accept the cooperation of any recognized  
8 federal, State, or municipal law enforcement agency or educational institution;

9            ~~[(12)]~~**(13)**    to consult and cooperate with universities, colleges, and  
10 institutions in the State to develop specialized courses of study for police officers in  
11 police science and police administration;

12           ~~[(13)]~~ **(14)**    to consult and cooperate with other agencies and units of the  
13 State concerned with police training;

14           ~~[(14)]~~**(15)**    to develop, with the cooperation of the Office of the Chief  
15 Medical Examiner and the Federal Bureau of Investigation, a uniform missing person  
16 report form to be available for use by each law enforcement agency of the State on or  
17 before October 1, 2008; and

18           ~~[(15)]~~**(16)**    to perform any other act that is necessary or appropriate to  
19 carry out the powers and duties of the Commission under this subtitle.

20           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2008.