

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE

House Bill 678  
Appropriations

(Delegate DeBoy, *et al.*)

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Department of State Police - Police Employees - Residency Requirements

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This bill requires each police appointee to the Department of State Police (DSP) to be a State resident or reside within 25 miles of its borders on the date of appointment and for the duration of the appointee's employment. Under current law, a police appointee must be a State resident on the date of appointment. Residency qualifications for civilian appointees are unchanged.

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Fiscal Summary

**State Effect:** None. DSP can adopt procedures with existing resources to assure compliance.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** In accordance with the State budget, the Secretary of State Police is required to appoint the employees that the Secretary considers necessary for the efficient administration of the department. The Secretary must make each appointment from a list of eligible candidates in accordance with the State Personnel and Pensions Article. Each appointee must (1) be a State resident on the date of appointment and (2) have the character, education, and other qualifications established by the Secretary.

**Background:** According to DSP, a State trooper must meet the following minimum qualifications:

- be a U.S. citizen;
- possess a high school diploma or GED;
- possess a valid driver's license in any state and a satisfactory driving record;
- binocular far and near visual acuity, with or without correction, must be 20/20;
- be at least 20 years old, but not older than 59;
- be in excellent physical condition;
- have a good reputation and sound moral character;
- not have any current court orders relating to domestic violence; and
- be truthful in every stage of the application process.

A State trooper may not take an assigned trooper vehicle or officially issued weapons out-of-state unless on official business of DSP.

Delaware, Pennsylvania, Virginia, and West Virginia all have in-state residency requirements for state troopers. In this region, only Washington, DC has a similar provision to this bill that allows the residency requirement to be met by a city police officer residing within 25 miles of the district.

Chapter 303 of 1935, which created DSP, provided that all appointments to the department must be a "bona fide resident" of Maryland and, with certain exceptions, have been a resident at least six months immediately preceding the appointment. Chapter 472 of 1966 repealed the six-month requirement.

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### **Additional Information**

**Prior Introductions:** SB 944 of 2010 and its cross file, HB 1213, both similar bills, were withdrawn.

**Cross File:** None.

**Information Source(s):** Department of Budget and Management, Department of State Police, Department of Legislative Services

**Fiscal Note History:** First Reader - February 11, 2013  
ncs/lgc

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