

HOUSE BILL 363

E1

5lr2000

By: **Delegate Anderson (By Request – Baltimore City Administration) and Delegates Glenn, McIntosh, and B. Robinson**

Introduced and read first time: February 5, 2015

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Law Enforcement Officer – Misconduct In Office**

3 FOR the purpose of prohibiting a certain law enforcement officer, while acting in the course
4 of the officer’s official duties, from committing a misdemeanor or felony that carries
5 a certain maximum penalty; providing a penalty for a violation of this Act; providing
6 that a sentence imposed under this Act shall be consecutive to and not concurrent
7 with any other sentence imposed for any crime based on the act establishing the
8 violation; defining a certain term; and generally relating to law enforcement officers.

9 BY adding to

10 Article – Criminal Law

11 Section 9–308

12 Annotated Code of Maryland

13 (2012 Replacement Volume and 2014 Supplement)

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

16 **Article – Criminal Law**

17 **9–308.**

18 **(A) IN THIS SECTION, “LAW ENFORCEMENT OFFICER” HAS THE MEANING**
19 **STATED IN § 3–101(E) OF THE PUBLIC SAFETY ARTICLE.**

20 **(B) A LAW ENFORCEMENT OFFICER, WHILE ACTING IN THE COURSE OF THE**
21 **OFFICER’S OFFICIAL DUTIES, MAY NOT COMMIT A MISDEMEANOR OR FELONY THAT**
22 **CARRIES A MAXIMUM PENALTY OF IMPRISONMENT OF MORE THAN 1 YEAR.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE FELONY OF**
2 **MISCONDUCT IN OFFICE AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
3 **EXCEEDING 10 YEARS.**

4 **(D) A SENTENCE IMPOSED UNDER THIS SECTION SHALL BE CONSECUTIVE**
5 **TO AND NOT CONCURRENT WITH ANY OTHER SENTENCE IMPOSED FOR ANY CRIME**
6 **BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2015.