

HOUSE BILL 619

E4

6lr3183

By: **Delegate Anderson (By Request – Baltimore City Administration)**

Introduced and read first time: February 4, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement Officer – Misdemeanor – Hearing and Emergency Suspension**

3 FOR the purpose of providing that a law enforcement officer who has been convicted of a
4 certain misdemeanor is not entitled to a certain hearing on certain issues by a
5 hearing board; providing that, if a law enforcement officer is charged with a certain
6 misdemeanor, the chief may impose an emergency suspension of police powers
7 without pay; and generally relating to law enforcement.

8 BY repealing and reenacting, with amendments,

9 Article – Public Safety

10 Section 3–107(a) and 3–112(c)

11 Annotated Code of Maryland

12 (2011 Replacement Volume and 2015 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 3–107.

17 (a) (1) Except as provided in paragraph (2) of this subsection and § 3–111 of
18 this subtitle, if the investigation or interrogation of a law enforcement officer results in a
19 recommendation of demotion, dismissal, transfer, loss of pay, reassignment, or similar
20 action that is considered punitive, the law enforcement officer is entitled to a hearing on
21 the issues by a hearing board before the law enforcement agency takes that action.

22 (2) A law enforcement officer who has been convicted of a felony **OR A**
23 **MISDEMEANOR WITH THE POTENTIAL FOR MORE THAN 1 YEAR IMPRISONMENT** is not
24 entitled to a hearing under this section.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 3-112.

2 (c) (1) If a law enforcement officer is charged with a felony **OR A**
3 **MISDEMEANOR WITH THE POTENTIAL FOR MORE THAN 1 YEAR IMPRISONMENT**, the
4 chief may impose an emergency suspension of police powers without pay.

5 (2) A law enforcement officer who is suspended under paragraph (1) of this
6 subsection is entitled to a prompt hearing.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2016.