

SB0793/422713/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 793
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 7, after “workforce;” insert “prohibiting the police department from acquiring certain aircraft, drones, vehicles, or weapons, except under certain circumstances; prohibiting the police department from receiving certain equipment from a federal military surplus program; requiring the University police department to acknowledge and respond to certain recommendations of the University Police Accountability Board within a certain period of time under certain circumstances;”; in line 9, after “wear” insert “and use”; in line 33, after “circumstances;” insert “requiring the University to be solely responsible for certain benefits afforded to the employees of the police department; providing that the employees of the police department are not entitled to certain benefits afforded to State personnel arising out of their employment with the police department;”; and in line 35, after “terms” insert ““criminal justice unit”,”.

On page 3, in line 23, after “2–101(a)” insert “and 10–201(a)”; in line 28, after “(26)” insert “and 10–201(f)”; and in line 38, strike “24–1212” and substitute “24–1213”.

AMENDMENT NO. 2

On page 9, after line 5, insert:

“10–201.

(a) In this subtitle the following words have the meanings indicated.

(f) (1) “Criminal justice unit” means a government unit or subunit that allocates a substantial part of its annual budget to any of the following functions and that by law:

(Over)

SB0793/422713/1 House Judiciary Committee
Amendments to SB 793
Page 2 of 6

(i) may arrest, detain, prosecute, or adjudicate persons suspected of or charged with a crime;

(ii) is responsible for the custodial treatment or confinement under Title 3 of this article of persons charged or convicted of a crime or relieved of criminal punishment by reason of a verdict of not criminally responsible;

(iii) is responsible for the correctional supervision, rehabilitation, or release of persons convicted of a crime; or

(iv) is responsible for criminal identification activities and the collection, storage, and dissemination of criminal history record information.

(2) “Criminal justice unit” includes, when exercising jurisdiction over criminal matters, alternative dispositions of criminal matters, or criminal history record information:

(i) a State, county, or municipal police unit, sheriff’s office, or correctional facility;

(ii) A POLICE DEPARTMENT OF THE JOHNS HOPKINS UNIVERSITY ESTABLISHED UNDER TITLE 24, SUBTITLE 12 OF THE EDUCATION ARTICLE;

(III) a unit required to report to the Central Repository under § 3–107 or § 3–112 of this article;

[(iii)] (IV) the offices of the Attorney General, State’s Attorneys, and any other person or unit that by law may prosecute persons accused of a crime; and

SB0793/422713/1 House Judiciary Committee
Amendments to SB 793
Page 3 of 6

[(iv)](V) the Administrative Office of the Courts, the Court of Appeals, the Court of Special Appeals, the circuit courts, the District Court of Maryland, and the offices of the clerks of these courts.

(3) Except as provided in §§ 10–215(a)(20) and (21), 10–216(d), and 10–220 of this subtitle, “criminal justice unit” does not include:

- (i) the Department of Juvenile Services; or
- (ii) a juvenile court.”.

AMENDMENT NO. 3

On page 11, in line 14, after “AREAS” insert “IMMEDIATELY”.

On page 13, in line 26, strike “AND”.

On page 14, after line 5, insert:

“(XI) REQUIRE TRAINING FOR UNIVERSITY POLICE OFFICERS REGARDING SEARCHES, INCLUDING CONSENSUAL SEARCHES; AND

(XII) REQUIRE THAT A UNIVERSITY POLICE OFFICER BE CERTIFIED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION;”.

AMENDMENT NO. 4

On page 14, in line 10, after “WEAR” insert “AND USE”; and after line 33, insert:

“(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER

(Over)

THIS SUBTITLE, THE POLICE DEPARTMENT MAY NOT ACQUIRE ANY MILITARY GRADE VEHICLE OR MILITARY GRADE HARDWARE, INCLUDING:

(I) AN ARMORED OR WEAPONIZED:

1. AIRCRAFT;
2. DRONE; OR
3. VEHICLE; OR

(II) A WEAPON DESIGNATED AS A TITLE II WEAPON UNDER THE NATIONAL FIREARMS ACT.

(2) IF ANY OF THE ITEMS SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION ARE AVAILABLE FOR COMMERCIAL SALE IN THE STATE, THE UNIVERSITY, AT ITS OWN EXPENSE, MAY PURCHASE THE ITEMS FOR THE POLICE DEPARTMENT.

(3) THE POLICE DEPARTMENT MAY NOT ACCEPT ANY OF THE ITEMS SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION FROM A PROGRAM OPERATED BY THE FEDERAL GOVERNMENT FOR THE TRANSFER OF SURPLUS MILITARY EQUIPMENT TO A LAW ENFORCEMENT AGENCY.

(E) IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE POLICE DEPARTMENT SHALL ACKNOWLEDGE AND RESPOND TO ANY RECOMMENDATIONS OF THE UNIVERSITY POLICE ACCOUNTABILITY BOARD WITHIN 120 DAYS AFTER RECEIVING THE RECOMMENDATIONS.”.

AMENDMENT NO. 5

SB0793/422713/1 House Judiciary Committee
Amendments to SB 793
Page 5 of 6

On page 15, in line 23, strike the second “AND”; and in line 25, after “AREA” insert “; AND”

(III) A MEMBER OF THE JOHNS HOPKINS UNIVERSITY BLACK FACULTY AND STAFF ASSOCIATION”.

AMENDMENT NO. 6

On page 16, in line 26, after “MEETING” insert “IN A PROMINENT MANNER”.

On page 18, in line 25, strike the second “AND”; and in line 27, after “DEPARTMENT” insert “; AND”

(13) A LIST OF ANY SURVEILLANCE TECHNOLOGIES USED BY THE POLICE DEPARTMENT”.

AMENDMENT NO. 7

On page 21, after line 9, insert:

“24-1213.

(A) THE UNIVERSITY SHALL BE SOLELY RESPONSIBLE FOR THE PENSION, RETIREMENT, AND ANY OTHER BENEFITS AFFORDED TO THE EMPLOYEES OF THE POLICE DEPARTMENT.

(B) THE EMPLOYEES OF THE POLICE DEPARTMENT ARE NOT ENTITLED TO STATE PENSION, STATE RETIREMENT, OR ANY OTHER BENEFITS AFFORDED TO STATE PERSONNEL ARISING OUT OF THEIR EMPLOYMENT WITH THE POLICE DEPARTMENT.”.

AMENDMENT NO. 8

(Over)

SB0793/422713/1 House Judiciary Committee
Amendments to SB 793
Page 6 of 6

On page 25, in line 1, after “days” insert “after the public posting period specified in item (1) of this subsection”; and in line 15, after “e-mailing” insert “and mailing”.