

Chapter 512

(Senate Bill 72)

AN ACT concerning

**Baltimore City – Members of the Command Staff of the Police Department –
Residency Requirements**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City, beginning on or after a certain date, to require certain members of the command staff of the Police Department of Baltimore City to reside in Baltimore City; requiring a certain local law, ordinance, or policy enacted or adopted by the Mayor and City Council of Baltimore City to include certain provisions; providing for the application of a certain local law, ordinance, or policy enacted or adopted by the Mayor and City Council of Baltimore City; and generally relating to residency requirements for members of the command staff of the Police Department of Baltimore City.

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–1(6), (7), and (8)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

BY adding to
The Public Local Laws of Baltimore City
Section 16–2A
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

Article 4 – Baltimore City

16–1.

The following words and phrases as used in this subtitle shall have or include the following meanings.

(6) “Members of the department” shall mean and include all persons and personnel employed by the department, whether civilian employees or police officers.

(7) “Police officers” shall mean all those members of the department having and exercising the powers of police officers, as provided in this subtitle, and shall specifically include the Police Commissioner of Baltimore City, all deputy police

commissioners, and such other ranks or positions which the Commissioner may determine require experience as a police officer as a prerequisite.

(8) “Civilian employees” shall mean all members of the department other than police officers.

16-2A.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, BEGINNING ON OR AFTER JANUARY 1, 2022, THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY MAY REQUIRE MEMBERS OF THE COMMAND STAFF OF THE DEPARTMENT, AT THE RANK OF ~~CAPTAIN OR ABOVE,~~ COLONEL OR DEPUTY COMMISSIONER, TO RESIDE IN BALTIMORE CITY.

(B) A LOCAL LAW, ORDINANCE, OR POLICY ENACTED OR ADOPTED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY UNDER THIS SECTION SHALL INCLUDE PROVISIONS:

(1) THAT PROVIDE AN INDIVIDUAL A PERIOD OF 120 DAYS AFTER THE DATE OF PROMOTION TO OR HIRE FOR THE RANK OF COLONEL OR DEPUTY COMMISSIONER TO BEGIN TO RESIDE IN BALTIMORE CITY;

(2) THAT PROVIDE AN EXEMPTION FROM THE LOCAL LAW, ORDINANCE, OR POLICY FOR A MEMBER WHO IS PROMOTED TO THE RANK OF DEPUTY COMMISSIONER IF, ON JANUARY 1, 2022, THAT MEMBER HOLDS THE RANK OF COLONEL; AND

(3) FOR GRANTING A WAIVER OR EXEMPTION FROM THE LOCAL LAW, ORDINANCE, OR POLICY FOR A MEMBER OF THE COMMAND STAFF WHO IS MARRIED TO AN INDIVIDUAL WHO IS EMPLOYED BY A GOVERNMENTAL ENTITY THAT HAS SIMILAR EMPLOYEE RESIDENCY REQUIREMENTS.

SECTION 2. AND BE IT FURTHER ENACTED, That a local law, ordinance, or policy enacted or adopted by the Mayor and City Council of Baltimore City in accordance with this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to the continued employment of any individual employed by the Police Department of Baltimore City before the effective date of the local law, ordinance, or policy.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.