

# SENATE BILL 561

P1

(01r0108)

## ENROLLED BILL

— Judicial Proceedings/Appropriations —

Introduced by **Senator Miller**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

#### 2 **Department of General Services – Jurisdiction and Maryland Capitol Police**

3 FOR the purpose of altering the jurisdiction of the Department of General Services to  
4 include State-owned or State-leased buildings and grounds and certain surrounding  
5 areas of those buildings and grounds, *subject to a certain limitation*; altering the  
6 jurisdiction of the Maryland Capitol Police of the Department; requiring the  
7 Secretary of General Services to appoint the Chief of the Maryland Capitol Police;  
8 providing that the Chief serves at the pleasure of the Secretary; requiring the Chief  
9 to supervise and direct the affairs and operations of the Maryland Capitol Police;  
10 repealing a certain provision of law providing that a member of the Maryland Capitol  
11 Police has the same powers as a sheriff or police officer only under certain  
12 circumstances; providing that a Maryland Capitol Police officer has all the powers  
13 granted to a peace officer and a police officer of the State; authorizing a Maryland  
14 Capitol Police officer to exercise certain powers provided the police officer meets  
15 certain legal requirements and is designated by the Department as a police officer;

---

#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 requiring the Secretary to appoint certain police employees; requiring the Secretary  
 2 to make certain appointments from a list of eligible candidates in accordance with  
 3 certain provisions of law; requiring that each police employee remains in a  
 4 probationary status for a certain period of time; authorizing the Secretary to  
 5 terminate the employment of a police employee in probationary status for any reason  
 6 that the Secretary considers sufficient; repealing a certain provision of law providing  
 7 that the Secretary has concurrent authority with certain chiefs of police to enforce  
 8 certain laws in certain areas; and generally relating to the Department of General  
 9 Services.

10 BY repealing and reenacting, with amendments,  
 11 Article – State Finance and Procurement  
 12 Section 4–601 and 4–605  
 13 Annotated Code of Maryland  
 14 (2015 Replacement Volume and 2019 Supplement)

15 BY adding to  
 16 Article – State Finance and Procurement  
 17 Section 4–605.1  
 18 Annotated Code of Maryland  
 19 (2015 Replacement Volume and 2019 Supplement)

20 BY repealing  
 21 Article – State Finance and Procurement  
 22 Section 4–606  
 23 Annotated Code of Maryland  
 24 (2015 Replacement Volume and 2019 Supplement)

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

27 **Article – State Finance and Procurement**

28 4–601.

29 **(A)** ~~The~~ **SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE** Department has  
 30 jurisdiction over and full police authority for the enforcement of the criminal laws and the  
 31 parking and motor vehicle laws as to the operation, maintenance, and protection of:

32 (1) buildings and grounds that, on June 30, 1984, were administered by the  
 33 Office of Annapolis Public Buildings and Grounds, and extending to the surrounding area  
 34 that encompasses 1,000 feet in any direction from the boundary of those buildings and  
 35 grounds;

36 (2) buildings and grounds that, on June 30, 1984, were administered by the  
 37 Office of Baltimore Public Buildings and Grounds, and extending to the surrounding area

1 that encompasses 1,000 feet in any direction from the boundary of those buildings and  
2 grounds;

3 (3) multiservice centers designated by law or by the Board of Public Works  
4 and extending to the surrounding area that encompasses 1,000 feet in any direction from  
5 the boundary of those multiservice centers;

6 (4) buildings and grounds that, on June 30, 2019, were administered by the  
7 Maryland Department of Labor, and extending to the surrounding area that encompasses  
8 1,000 feet in any direction from the boundary of those buildings; [and]

9 (5) STATE-OWNED OR STATE-LEASED BUILDINGS AND GROUNDS  
10 AND EXTENDING TO THE SURROUNDING AREA THAT ENCOMPASSES 1,000 FEET IN  
11 ANY DIRECTION FROM THE BOUNDARY OF THOSE BUILDINGS AND GROUNDS; AND

12 [(5)] (6) other public improvements or grounds designated by law or by  
13 the Board of Public Works.

14 (B) CONSISTENT WITH ARTICLE 8 OF THE MARYLAND DECLARATION OF  
15 RIGHTS, WITH RESPECT TO STATE LEGISLATIVE BUILDINGS IN THE CITY OF  
16 ANNAPOLIS, THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY SHALL HAVE  
17 FINAL AUTHORITY OVER THE USE OF AND ACCESS TO THE BUILDINGS BY THE  
18 MEMBERS OF THE GENERAL ASSEMBLY, THEIR STAFF, AND DEPARTMENT OF  
19 LEGISLATIVE SERVICES PERSONNEL.

20 4-605.

21 (a) (1) In accordance with the provisions of the State Personnel and Pensions  
22 Article, the Secretary may establish a police and security force, known as the Maryland  
23 Capitol Police of the Department of General Services, to protect people and property on or  
24 about improvements, grounds, and multiservice centers under the jurisdiction of the  
25 Department, and in the surrounding areas of the buildings and grounds in the State as  
26 described in [§ 4-601(1), (2), (3), and (4)] § 4-601 of this subtitle.

27 (2) (I) THE SECRETARY SHALL APPOINT THE CHIEF OF THE  
28 MARYLAND CAPITOL POLICE OF THE DEPARTMENT OF GENERAL SERVICES.

29 (II) THE CHIEF OF THE MARYLAND CAPITOL POLICE OF THE  
30 DEPARTMENT OF GENERAL SERVICES SERVES AT THE PLEASURE OF THE  
31 SECRETARY.

32 (III) THE CHIEF OF THE MARYLAND CAPITOL POLICE OF THE  
33 DEPARTMENT OF GENERAL SERVICES SHALL SUPERVISE AND DIRECT THE AFFAIRS  
34 AND OPERATIONS OF THE MARYLAND CAPITOL POLICE.

1            **[(2)] (3)**        The Maryland Capitol Police of the Department of General  
2 Services may include sworn police officers.

3            (b)        A member of the Maryland Capitol Police of the Department of General  
4 Services may not be involuntarily transferred from a site to another site.

5            [(c)        A member of the Maryland Capitol Police of the Department of General  
6 Services has the same powers as a sheriff or police officer under § 2–101 of the Criminal  
7 Procedure Article only if the member:

8                    (1)        meets the legal requirements set forth by the Maryland Police Training  
9 and Standards Commission; and

10                   (2)        is designated by the Department as a police officer.]

11            **(C)        SUBJECT TO SUBSECTION (D) OF THIS SECTION, A MARYLAND CAPITOL  
12 POLICE OFFICER HAS ALL THE POWERS GRANTED TO A PEACE OFFICER AND A  
13 POLICE OFFICER OF THE STATE.**

14            **(D)        A MARYLAND CAPITOL POLICE OFFICER MAY EXERCISE THE POWERS  
15 DESCRIBED IN SUBSECTION (C) OF THIS SECTION WITHIN THE DEPARTMENT’S  
16 JURISDICTION AS SPECIFIED IN § 4–601 OF THIS SUBTITLE PROVIDED THE POLICE  
17 OFFICER:**

18                    **(1)        MEETS THE LEGAL REQUIREMENTS SET FORTH BY THE  
19 MARYLAND POLICE TRAINING AND STANDARDS COMMISSION; AND**

20                    **(2)        IS DESIGNATED BY THE DEPARTMENT AS A POLICE OFFICER.**

21            **4–605.1.**

22            **(A)        (1)        WITHIN THE LIMITS OF ANY APPROPRIATION MADE FOR THIS  
23 PURPOSE AND AS THE SECRETARY DETERMINES NECESSARY, THE SECRETARY  
24 SHALL APPOINT POLICE EMPLOYEES FOR THE EFFICIENT ADMINISTRATION OF THE  
25 MARYLAND CAPITOL POLICE OF THE DEPARTMENT OF GENERAL SERVICES.**

26                    **(2)        THE SECRETARY SHALL MAKE EACH APPOINTMENT UNDER  
27 PARAGRAPH (1) OF THIS SUBSECTION FROM A LIST OF ELIGIBLE CANDIDATES IN  
28 ACCORDANCE WITH THE PROVISIONS OF THE STATE PERSONNEL AND PENSIONS  
29 ARTICLE.**

30            **(B)        (1)        EACH POLICE EMPLOYEE, INCLUDING AN INDIVIDUAL WHO IS  
31 APPOINTED TO THE MARYLAND CAPITOL POLICE FOR TRAINING BEFORE REGULAR  
32 ASSIGNMENT AS A POLICE EMPLOYEE, SHALL REMAIN IN A PROBATIONARY STATUS**

1 FOR A PERIOD OF 1 YEAR AFTER THE DATE OF APPOINTMENT TO THE MARYLAND  
2 CAPITOL POLICE OF THE DEPARTMENT OF GENERAL SERVICES.

3 (2) THE SECRETARY MAY TERMINATE THE EMPLOYMENT OF A  
4 POLICE EMPLOYEE IN PROBATIONARY STATUS FOR ANY REASON THAT THE  
5 SECRETARY CONSIDERS SUFFICIENT.

6 [4-606.

7 (a) In this section, "Chief of Police" means:

8 (1) as to improvements, grounds, and multiservice centers in the City of  
9 Annapolis, the Chief of Police of the City of Annapolis;

10 (2) as to improvements, grounds, and multiservice centers in Baltimore  
11 City, the Police Commissioner of Baltimore City; and

12 (3) as to improvements, grounds, and multiservice centers not located in  
13 the City of Annapolis or Baltimore City, the head of the local police force of the county in  
14 which the improvements, grounds, or multiservice centers are located.

15 (b) The Secretary has concurrent authority with the Chief of Police to enforce the  
16 criminal laws and parking and motor vehicle laws on streets adjacent to all improvements,  
17 grounds, and multiservice centers under the jurisdiction of the Department, and in the  
18 surrounding areas of the buildings and grounds in Annapolis and Baltimore City as  
19 described in § 4-601(1) and (2) of this subtitle.]

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2020.

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
President of the Senate.

\_\_\_\_\_  
Speaker of the House of Delegates.