

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 459 (Senator Jennings, *et al.*)

Education, Health, and Environmental Affairs
and Judicial Proceedings

Public Schools - School Resource Officers - Firearms Required

This bill requires a school resource officer (SRO), including a Baltimore City school police officer, to carry a firearm while on the premises of a school to which the SRO is assigned. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: None. The bill applies only to local school systems and law enforcement agencies.

Local Effect: The bill has no material effect on local governmental operations or finances.

Small Business Effect: None.

Analysis

Current Law: A “school resource officer” is defined as:

- a law enforcement officer who has been assigned to a school in accordance with a memorandum of understanding (MOU) between the chief law enforcement agency and local school system; or
- a Baltimore City school police officer.

A Baltimore City school police officer is a person who, when acting in an official capacity, is a member of the Baltimore City School Police Force established in statute and who is authorized by law to make arrests. In general, a Baltimore City school police officer may

act in an official capacity only on the premises of a Baltimore City school or under other specified circumstances. When acting in an official capacity, a Baltimore City school police officer has all the powers of a law enforcement officer in the State. Members of the Baltimore City School Police Force are employees of and appointed by the Baltimore City Board of School Commissioners. During school days, Baltimore City school police officers are authorized to carry weapons on the premises of a school to which they are assigned *only* before or after regular school hours; they are also authorized to carry weapons on the premises of a school to which they are assigned on days other than school days.

Maryland Safe to Learn Act

Under Chapter 30 of 2018 (the Maryland Safe to Learn Act), the Maryland Center for School Safety (MCSS) developed, in consultation with local school systems, a specialized curriculum to be used in training SROs and school security employees that addresses specified issues. The curriculum was submitted to and approved by the Maryland Police Training and Standards Commission (MPTSC). The Act also required, by March 1, 2019, that MCSS develop and submit to MPTSC for approval a model training program based on the curriculum, which it has done. Each local law enforcement agency must enroll SROs and school security employees either in (1) the MCSS model training program or (2) a local training program approved by MPTSC that is consistent with the approved curriculum. All SROs and school security employees must have completed an approved specialized training program by September 1, 2019.

MCSS must collect specified data on SROs and, in collaboration with local law enforcement and school systems, develop guidelines based on its analysis of the data to assist local school systems in (1) identifying the appropriate number and assignment of SROs, including supplemental coverage by local law enforcement agencies and (2) collaborating and communicating with local law enforcement agencies.

Beginning with the 2019-20 school year, before the school year begins, each local school system must annually file a report with MCSS that identifies (1) the public schools that have an SRO assigned and (2) if no SRO is assigned to a public school, the adequate local law enforcement coverage that will be provided to the school. MCSS must submit annual summaries of the SRO/law enforcement coverage reports it receives to the Governor and General Assembly. MCSS must also collect and report annually data on specified incidents of use of force involving SROs or school security employees.

Beginning in fiscal 2020 and each year thereafter, the Governor must include \$10.0 million for the Safe Schools Fund to provide grants to local school systems and law enforcement agencies to meet the SRO/law enforcement coverage requirements; the Governor complied with that requirement in the fiscal 2021 budget submitted to the General Assembly. Grants must be made based on the proportion of public schools in each jurisdiction.

Background: During the 2019-2020 school year, MCSS reports that 360 out of 1,427 schools (25%) are assigned one or more SROs, with the remaining 1,067 schools arranging for adequate law enforcement coverage as required by Chapter 30. All but two high schools in the State have SROs. By comparison, 56% of middle schools and 3% of elementary schools are assigned SROs.

Baltimore City is the only local school system in the State with its own police force; the other school systems rely on MOUs with local law enforcement agencies. It is also the only local school system in which SROs are *not* authorized and/or required to carry a firearm on school premises during regular school hours.

Additional Information

Prior Introductions: SB 884 of 2019 was jointly assigned to the Senate Education, Health, and Environmental Affairs Committee and the Judicial Proceedings Committee, but no further action was taken on the bill.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Maryland Center for School Safety; Department of Public Safety and Correctional Services; Baltimore City Public Schools; Baltimore County Public Schools; Anne Arundel County Public Schools; Montgomery County Public Schools; Wicomico County Public Schools; Department of Legislative Services

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