

Chapter 564

(Senate Bill 561)

AN ACT concerning

Department of General Services – Jurisdiction and Maryland Capitol Police

FOR the purpose of altering the jurisdiction of the Department of General Services to include State–owned or State–leased buildings and grounds and certain surrounding areas of those buildings and grounds, *subject to a certain limitation*; altering the jurisdiction of the Maryland Capitol Police of the Department; requiring the Secretary of General Services to appoint the Chief of the Maryland Capitol Police; providing that the Chief serves at the pleasure of the Secretary; requiring the Chief to supervise and direct the affairs and operations of the Maryland Capitol Police; repealing a certain provision of law providing that a member of the Maryland Capitol Police has the same powers as a sheriff or police officer only under certain circumstances; providing that a Maryland Capitol Police officer has all the powers granted to a peace officer and a police officer of the State; authorizing a Maryland Capitol Police officer to exercise certain powers provided the police officer meets certain legal requirements and is designated by the Department as a police officer; requiring the Secretary to appoint certain police employees; requiring the Secretary to make certain appointments from a list of eligible candidates in accordance with certain provisions of law; requiring that each police employee remains in a probationary status for a certain period of time; authorizing the Secretary to terminate the employment of a police employee in probationary status for any reason that the Secretary considers sufficient; repealing a certain provision of law providing that the Secretary has concurrent authority with certain chiefs of police to enforce certain laws in certain areas; and generally relating to the Department of General Services.

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

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

BY repealing
Article – State Finance and Procurement
Section 4–606
Annotated Code of Maryland

(2015 Replacement Volume and 2019 Supplement)

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

Article – State Finance and Procurement

4–601.

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

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

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

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

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

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

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

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

4-605.

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

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

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

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

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

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

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

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

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

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

(D) A MARYLAND CAPITOL POLICE OFFICER MAY EXERCISE THE POWERS DESCRIBED IN SUBSECTION (C) OF THIS SECTION WITHIN THE DEPARTMENT'S JURISDICTION AS SPECIFIED IN § 4-601 OF THIS SUBTITLE PROVIDED THE POLICE OFFICER:

- (1) MEETS THE LEGAL REQUIREMENTS SET FORTH BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION; AND
- (2) IS DESIGNATED BY THE DEPARTMENT AS A POLICE OFFICER.

4-605.1.

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

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

(B) (1) EACH POLICE EMPLOYEE, INCLUDING AN INDIVIDUAL WHO IS APPOINTED TO THE MARYLAND CAPITOL POLICE FOR TRAINING BEFORE REGULAR ASSIGNMENT AS A POLICE EMPLOYEE, SHALL REMAIN IN A PROBATIONARY STATUS FOR A PERIOD OF 1 YEAR AFTER THE DATE OF APPOINTMENT TO THE MARYLAND CAPITOL POLICE OF THE DEPARTMENT OF GENERAL SERVICES.

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

[4-606.

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

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

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

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

(b) The Secretary has concurrent authority with the Chief of Police to enforce the criminal laws and parking and motor vehicle laws on streets adjacent to all improvements, grounds, and multiservice centers under the jurisdiction of the Department, and in the

surrounding areas of the buildings and grounds in Annapolis and Baltimore City as described in § 4–601(1) and (2) of this subtitle.]

SECTION 2. 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.