

SENATE BILL 48

E4
HB 145/23 – JUD

(PRE-FILED)

4lr0616
CF HB 8

By: **Senator Kagan**

Requested: September 11, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Police Training and Standards Commission – Police Officer**
3 **Certification – Eligibility**

4 FOR the purpose of altering the eligibility requirements for an individual to be certified by
5 the Maryland Police Training and Standards Commission as a police officer to
6 remove a certain requirement for an individual who is a permanent legal resident of
7 the United States and an honorably discharged veteran of the United States armed
8 forces; providing that an individual who is a permanent legal resident of the United
9 States and an honorably discharged veteran or current member of the Army National
10 Guard, the Air National Guard, or a reserve component of the United States armed
11 forces is eligible to be certified as a police officer; and generally relating to police
12 officer certification.

13 BY repealing and reenacting, with amendments,
14 Article – Public Safety
15 Section 3–209
16 Annotated Code of Maryland
17 (2022 Replacement Volume and 2023 Supplement)

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

Article – Public Safety

20 3–209.

22 (a) The Commission shall certify as a police officer each individual who:

23 (1) (i) satisfactorily meets the standards of the Commission; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) provides the Commission with sufficient evidence that the
2 individual has satisfactorily completed a training program in another state of equal quality
3 and content as required by the Commission;

4 (2) submits to a mental health screening by a licensed mental health
5 professional;

6 (3) submits to a physical agility assessment as determined by the
7 Commission;

8 (4) submits to a criminal history records check in accordance with §
9 3–209.1 of this subtitle; and

10 (5) (i) is a United States citizen; or

11 (ii) [subject to subsection (b) of this section,] is:

12 1. a permanent legal resident of the United States; and

13 2. **A.** an honorably discharged veteran of the United
14 States armed forces[, provided that the individual has applied to obtain United States
15 citizenship and the application is still pending approval], **THE ARMY NATIONAL GUARD,**
16 **THE AIR NATIONAL GUARD, OR A RESERVE COMPONENT OF THE UNITED STATES**
17 **ARMED FORCES; OR**

18 **B. A CURRENT MEMBER OF THE ARMY NATIONAL**
19 **GUARD, THE AIR NATIONAL GUARD, OR A RESERVE COMPONENT OF THE UNITED**
20 **STATES ARMED FORCES.**

21 (b) [The certification of a police officer who fails to obtain United States
22 citizenship as required by subsection (a)(4)(ii) of this section shall be terminated by the
23 Commission.

24 (c) The Commission may certify as a police officer an individual who is not
25 considered a police officer under § 3–201(f)(3) of this subtitle if the individual meets the
26 selection and training standards of the Commission.

27 [(d)] (C) Each certificate issued to a police officer under this subtitle remains the
28 property of the Commission.

29 [(e)] (D) As a condition of certification, a police officer shall submit to a mental
30 health assessment every 2 years and an annual physical agility assessment to establish
31 continuing fitness to carry out the officer's assigned duties as a police officer.

32 [(f)] (E) Prior cannabis use is not a disqualifier for certification as a police
33 officer.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
2 1, 2024.