

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 894

(Senator Carter)

Judicial Proceedings

Judiciary

Baltimore City - Control Over Powers of Police Commissioner

This bill repeals the prohibition on an ordinance of Baltimore City or an act of any municipal officer from conflicting, impeding, obstructing, hindering, or interfering with the powers of the Baltimore City Police Commissioner. The bill is contingent on the passage of an amendment to the Charter of Baltimore City that provides for the appointment, terms of office, and the powers and duties of the Baltimore City Police Commissioner and the powers and duties of the Baltimore City Police Department (BPD) and its ratification by the voters of Baltimore City at the 2024 general election. **The bill takes effect June 1, 2024, subject to the contingency described above. If such an amendment is ratified at the 2024 general election, the bill's provisions take effect January 1, 2025. If such an amendment is not passed and ratified at the 2024 general election, the bill's provisions are null and void.**

Fiscal Summary

State Effect: None.

Local Effect: The bill is not anticipated to materially affect Baltimore City finances.

Small Business Effect: None.

Analysis

Current Law: Chapter 133 of 2021 established BPD as an agency and instrumentality of Baltimore City (rather than the State), contingent on the passage of an amendment to the Charter of Baltimore City that provides the transfer of control of BPD to Baltimore City and its ratification by the voters of Baltimore City at either the 2022 or the 2024 general

election. Baltimore City voters approved the measure during the 2022 general election, and pursuant to Chapter 133, the transfer of control of BPD to the city occurred on January 1, 2023. For all actions arising out of acts, omissions, or events that occur on or after that date, BPD is considered an agency and instrumentality of Baltimore City.

As a result of BPD being established as an agency and instrumentality of Baltimore City, the intent of Chapter 133 was that the mayor and the City Council of Baltimore City would be authorized to amend the law relating to BPD in order to implement policy changes.

In January 2024, the Mayor of Baltimore City signed into law [Ordinance 24-310](#), a proposed charter amendment establishing the objectives, powers, and duties of BPD and the powers and duties of the Baltimore City Police Commissioner. The proposed charter amendment must be submitted to the voters of Baltimore City in accordance with Article XI-A § 5 of the Maryland Constitution. A related ordinance (Ordinance 24-311), which was also signed into law in January 2024, establishes provisions relating to BPD and the Baltimore City Police Commissioner into the city's code.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 853 and SB 758 of 2023.

Designated Cross File: HB 732 (Baltimore City Delegation) - Judiciary.

Information Source(s): Baltimore City; Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2024
km/lgc Third Reader - March 26, 2024
Revised - Amendment(s) - March 26, 2024
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