
By: Delegate T. Murphy

Introduced and read first time: January 29, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Department of State Police - Exercise of Powers in Baltimore City**

3 FOR the purpose of expanding the authority of the Department of State Police to
4 exercise police powers within Baltimore City; making technical changes; and
5 generally relating to the powers of the Department of State Police.

6 BY repealing and reenacting, with amendments,
7 Article 88B - Department of State Police
8 Section 4(b), (c), and (e)
9 Annotated Code of Maryland
10 (1995 Replacement Volume)

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

13 **Article 88B - Department of State Police**

14 4.

15 (b) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE
16 Secretary, the deputy secretary, and employees designated by the Secretary as police
17 employees shall have throughout the State the same powers, privileges, immunities, and
18 defenses as sheriffs, constables, police officers, and other peace officers possessed at
19 common law and may now or hereafter exercise within their respective jurisdictions. Any
20 warrant of arrest may be executed by a police employee in any part of the State without
21 further endorsement.

22 (c) Police employees shall not act within the limits of any incorporated
23 municipality which maintains a police force except: (1) when in pursuit of an offender or
24 suspected offender; (2) when in search of an offender or suspected offender wanted for a
25 crime committed outside of the limits of the municipality, or when interviewing or seeking
26 to interview a witness or supposed witness to such a crime; (3) when a crime is committed
27 in the presence of the police employee, the arrested party shall be immediately
28 transferred to the custody of the local law enforcement agency; (4) when requested to act
29 by the chief executive officer or the chief police officer of the municipality; (5) when
30 ordered by the Governor to act within the municipality; (6) [except in Baltimore City,]
31 when enforcing the motor vehicle laws of this State; (7) [in Baltimore City, only when
32 enforcing Title 23 (Vehicle Laws - Inspection of Used Vehicles and Warnings for

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1 Defective Equipment) of the Transportation Article; (8)] in any building or place when
2 ordered by the President of the Senate and the Speaker of the House of Delegates, or
3 either of them, to guard the safety of legislators or the integrity of the legislative process;
4 [(9)] (8) to protect the safety of an elected State official; [(10)] (9) in the municipalities
5 of Somerset County; or [(11)](10)(i) 1. when participating in a joint investigation with
6 officials from any other State, federal, or local law enforcement agency at least one of
7 which shall have local jurisdiction; 2. when rendering assistance to a police officer; 3.
8 when acting at the request of a local police officer; or 4. when an emergency exists; and
9 (ii) when acting in accordance with regulations adopted by the Secretary to implement
10 this paragraph.

11 (e) The term "incorporated municipality" as used in subsection [(b)](C) of this
12 section shall mean the territory within the limits of an incorporated city or town within
13 any county of this State [or of Baltimore City]. However, this term shall not be construed
14 to include [any]:

15 (1) ANY other territory within the limits of any county; OR

16 (2) BALTIMORE CITY.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1996.