
By: Chairman, Judiciary Committee (Departmental - Secretary of State)

Introduced and read first time: February 27, 1996

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Special Policemen - Termination or Suspension**

3 FOR the purpose of providing that the commission of a special policeman may be
4 suspended; authorizing the Governor to delegate to the Secretary of State or the
5 Assistant Secretary of State the authority to revoke or suspend the commission of a
6 special policeman; and generally relating to special policemen.

7 BY repealing and reenacting, with amendments,
8 Article 41 - Governor - Executive and Administrative Departments
9 Section 4-913
10 Annotated Code of Maryland
11 (1993 Replacement Volume and 1995 Supplement)

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

14 **Article 41 - Governor - Executive and Administrative Departments**

15 4-913.

16 (A) The commissions granted under this subtitle shall cease OR BE SUSPENDED
17 upon the filing of a notice in writing by the State, agency, college, school system, or
18 business which requested the appointment, stating that the policeman [is no longer
19 required and] has been relieved of OR SUSPENDED FROM his duties. The Governor,
20 upon recommendation by the Secretary of the State Police, or on the Governor's own
21 motion if the Governor finds it in the best interest of the State, may terminate OR
22 SUSPEND any commission granted under this subtitle. The termination OR SUSPENSION
23 shall be noted in the official records of the Governor and shall not be effective until five
24 days after notice is sent to the requesting State, agency, school, or business and also to the
25 person whose commission has been revoked OR SUSPENDED. If that person thereafter,
26 knowing of the revocation OR SUSPENSION or having in any manner received notice
27 thereof, exercises or attempts to exercise any of the powers granted under this subtitle,
28 that person shall be guilty of a misdemeanor; and upon conviction be fined not more than
29 \$1,000 or imprisoned for not more than six months, or both. The filing and mailing of
30 notice as indicated above shall raise a presumption that the person knew of the revocation
31 OR SUSPENSION.

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1 (B) THE GOVERNOR MAY DELEGATE THE POWER TO TERMINATE OR
2 SUSPEND A COMMISSION UNDER THIS SUBTITLE TO THE SECRETARY OF STATE, THE
3 ASSISTANT SECRETARY OF STATE, OR BOTH.

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