
By: Delegates Elliott and Brinkley

Requested: August 21, 1996

Introduced and read first time: January 8, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Police - Equipment for Local Law Enforcement**

3 FOR the purpose of requiring that, whenever the State Police agrees to function as a
4 local police force in a county or municipality, all vehicles and other equipment used
5 for law enforcement shall be the property of the county or municipality that was a
6 participant in the agreement and may not revert to the State if the agreement is
7 terminated; and generally relating to the Department of State Police.

8 BY repealing and reenacting, with amendments,
9 Article 88B - Department of State Police
10 Section 63
11 Annotated Code of Maryland
12 (1995 Replacement Volume and 1996 Supplement)

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

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

16 63.

17 (a) A Local Division is created in the Department, with the powers, duties,
18 functions, and employees provided in this subtitle.

19 (b) The board of county commissioners or county council of any county, or the
20 Mayor and City Council of the City of Baltimore, and the Secretary may conclude an
21 agreement that the Department act as and take over all or a portion of the functions of a
22 local police force for the county, or municipality. Local governing bodies are hereby
23 authorized and empowered to enter into such contractual agreements with municipalities
24 located therein for the participation of the municipalities in the contractual agreements
25 entered into by the local governing bodies and the Department. In Charles and St. Mary's
26 Counties municipalities also may enter into separate contractual agreements with the
27 Department.

28 (c) Under any such agreement, the Department within the county shall enforce
29 the public local laws of the county or municipality and perform related police services, in
30 addition to its other and regular duties therein. For this purpose the Department shall

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1 provide such employees, buildings, and facilities as may be required by the agreement or,
2 if not so required, as may be reasonable and proper in the discretion of the Department
3 to perform the objects of the agreement.

4 (d) Every agreement shall provide that the reasonable and proper cost of the
5 Local Division, for and within the particular county be determined by the Secretary and
6 that the county or municipality shall reimburse the Department an amount equal to 100%
7 of the cost so determined. The agreement further shall provide for the time and manner
8 of payments by the county or municipality to the Department to pay this obligation.

9 (e) Every agreement requires the prior approval of the Office of the Attorney
10 General as to legal sufficiency. Financial arrangements in every agreement require the
11 prior approval of the Secretary of Budget and Management.

12 (f) The Department may have and provide such employees, buildings, equipment,
13 facilities, and other operating materials for the Local Division as may be provided in the
14 State budget from time to time.

15 (g) The employees in the Local Division from time to time shall be provided as an
16 addition to the regular number of employees.

17 (h) For the purposes of this section, the word "county" shall include the City of
18 Baltimore.

19 (I) IF AN AGREEMENT UNDER THIS SECTION IS TERMINATED, ALL VEHICLES
20 AND OTHER EQUIPMENT USED FOR LAW ENFORCEMENT SHALL BE THE PROPERTY
21 OF THE COUNTY OR MUNICIPALITY THAT WAS A PARTICIPANT IN THE AGREEMENT
22 AND MAY NOT REVERT TO THE STATE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 1997.