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HB 380/95 - CGM

1997 Regular Session
7r0384

By: Montgomery County and Prince George's County Delegations

Introduced and read first time: January 31, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Park Police - Jurisdiction**
3 **MC/PG 33-97**

4 FOR the purpose of expanding the jurisdiction of the Maryland-National Capital Park
5 and Planning Commission to include concurrent general police jurisdiction and
6 enforcement powers with that of the Prince George's County police and
7 Montgomery County police when the Commission's officers are off park property in
8 Prince George's County and Montgomery County; and generally relating to the
9 jurisdiction and enforcement powers of the Maryland-National Capital Park and
10 Planning Commission police off park property in Prince George's County and
11 Montgomery County.

12 BY repealing and reenacting, with amendments,
13 Article 28 - Maryland-National Capital Park and Planning Commission
14 Section 5-114
15 Annotated Code of Maryland
16 (1993 Replacement Volume and 1996 Supplement)

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

19 **Article 28 - Maryland-National Capital Park and Planning Commission**

20 5-114.

21 (a) The Commission may appoint whatever park police officers as may be
22 necessary to provide protection for the Commission's activities and property. In
23 connection with the responsibility to provide that protection, it is the responsibility of the
24 park police to prevent crime, apprehend criminals, enforce the criminal and motor vehicle
25 laws of the State, enforce park regulations and perform whatever other related duties as
26 are imposed by the Commission. They have concurrent general police jurisdiction with
27 the Montgomery and Prince George's County police within the parks and other areas and
28 within buildings under the jurisdiction of the Commission, and that portion of all roads
29 and sidewalks immediately adjacent to any property under the jurisdiction of the
30 Commission. They possess all the powers and authority vested by existing law in the
31 Montgomery and Prince George's County police; but they are responsible to and under
32 the supervision of the Commission and shall exercise supervisory jurisdiction over the

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1 park system. OFF PARK PROPERTY, A PARK POLICE OFFICER SHALL HAVE
2 CONCURRENT GENERAL POLICE JURISDICTION WITH THE PRINCE GEORGE'S
3 COUNTY POLICE AND THE MONTGOMERY COUNTY POLICE. They shall ALSO have
4 whatever jurisdiction off park property that may be provided by any reciprocal agreement
5 entered into pursuant to Article 27, § 602B of this Code. The reciprocal agreement shall
6 specify the circumstances under which a park police officer may make arrests off of park
7 property. The agreement may allow such arrests in emergency or nonemergency
8 situations, notwithstanding Article 27, § 602B of the Code. The Montgomery and Prince
9 George's County police have the same general police jurisdiction and responsibility for
10 the apprehension of criminals and detection of crime within the parks and other areas
11 and buildings under the Commission's jurisdiction as they have elsewhere in their
12 respective counties.

13 (b) (1) In Prince George's County, the Prince George's County Planning Board
14 may appoint a deputy chief of the Prince George's County division of the park police. The
15 deputy chief has the same jurisdiction, powers, and authority as park police officers
16 appointed by the Commission.

17 (2) The deputy chief shall serve at the pleasure of the Prince George's
18 County Planning Board.

19 (3) The Prince George's County Planning Board from time to time shall fix
20 the compensation of the deputy chief.

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