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D. C. A. C. D. H. C. D. H. C. C. M. A. L. H. IV. H. D. D. L.

## By: Senators Conway, Hughes, Della, Sfikas, Mitchell, Kelley, Blount, Bromwell, and McFadden

Introduced and read first time: February 2, 2000

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

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1	AN	ACT	concerning

2	Baltimore City - Transfer of Housing Authority Police to the Police
3	Department of Baltimore City

- 4 FOR the purpose of repealing the authority of the Housing Authority of Baltimore
- 5 City Police Force and Housing Authority of Baltimore City police officers;
- 6 requiring the Police Commissioner of Baltimore City to assign or appoint police
- 7 officers and other members of the Police Department of Baltimore City to a
- 8 special housing division within the Police Department of Baltimore City;
- 9 requiring the Police Commissioner of Baltimore City to adopt certain standards
- 10 for certain police officers and other members of the Police Department of
- Baltimore City who are assigned or appointed to the special housing division;
- establishing the rights and duties of certain police officers who are assigned or
- appointed to the special housing division of the Police Department of Baltimore
- City; providing for the employment status of certain persons as of a certain date;
- providing for the pension or retirement system rights and status of certain
- persons as of a certain date; providing for the effective date of this Act; and
- generally relating to the authority of the Housing Authority of Baltimore City
- Police Force and the authority and duties of the Police Department of Baltimore
- 19 City.

## 20 BY repealing

- 21 Article 44A Housing Authorities
- 22 Section 3-104
- 23 Annotated Code of Maryland
- 24 (1998 Replacement Volume and 1999 Supplement)

## 25 BY adding to

- 26 The Public Local Laws of Baltimore City
- 27 Section 16-16D
- 28 Article 4 Public Local Laws of Maryland
- 29 (1979 Edition and 1997 Supplement, as amended)

1 2	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
3	Article 44A - Housing Authorities
4	[3-104.
5	(a) There is a Housing Authority of Baltimore City Police Force.
6 7	(b) In this section, "Housing Authority of Baltimore City police officer" means any person who:
8 9	(1) Is a member of the Housing Authority of Baltimore City Police Force; and
10 11	(2) When acting in an official capacity, is authorized by law to make arrests.
	(c) The Executive Director of the Housing Authority of Baltimore City or the designee of the Executive Director shall appoint the members of the Housing Authority of Baltimore City Police Force.
15 16	(d) (1) A Housing Authority of Baltimore City police officer has all of the powers of a law enforcement officer in the State.
19	(2) (i) A Housing Authority of Baltimore City police officer may exercise the powers granted in paragraph (1) of this subsection only on property that is owned, leased, operated by, or under the control of the Housing Authority of Baltimore City.
21 22	(ii) A Housing Authority of Baltimore City police officer may not exercise granted powers on any other property unless:
23	1. Engaged in fresh pursuit of a suspected offender;
	2. Necessary to facilitate the orderly flow of traffic to and from property owned, leased, operated by, or under the control of the Housing Authority of Baltimore City;
27	3. Ordered to do so by the Mayor of the City of Baltimore; or
28 29	4. Requested or authorized to do so by the Police Commissioner of Baltimore City.
32	(e) (1) The Housing Authority of Baltimore City shall adopt standards, qualifications, and prerequisites of character, training, education, human and public relations, and experience for Housing Authority of Baltimore City police officers, including standards for the performance of duties.

SENATE BILL 347 1 (2)To the extent feasible, the Housing Authority of Baltimore City shall 2 adopt standards required by paragraph (1) of this subsection that are similar to the standards adopted for the Baltimore City Police Department. 4 The enumeration of powers set forth in this section does not imply that the 5 exercise of powers by the Housing Authority of Baltimore City prior to the effective 6 date of this act was not authorized by law. 7 (g) The provisions of this section may not be construed to: Treat a Housing Authority of Baltimore City police officer as a 8 9 member of the Baltimore City Police Department; or 10 (2)Affect the salary, benefits, or retirement program of an employee of 11 the Housing Authority of Baltimore City.] 12 **Article 4 - Baltimore City** 13 16-16D. 14 THE COMMISSIONER SHALL ASSIGN OR APPOINT ANY NUMBER OF POLICE (A) 15 OFFICERS AND OTHER MEMBERS OF THE DEPARTMENT TO A SPECIAL HOUSING 16 DIVISION WITHIN THE DEPARTMENT TO SERVE THE PUBLIC SAFETY NEEDS OF THE 17 HOUSING AUTHORITY OF BALTIMORE CITY. 18 (B) IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE, THE 19 COMMISSIONER SHALL ADOPT STANDARDS FOR THE PERFORMANCE OF DUTIES, 20 QUALIFICATIONS, PREREQUISITES OF TRAINING AND EDUCATION, EXPERIENCE, 21 REASSIGNMENT, DISMISSAL, AND DISCIPLINE OF POLICE OFFICERS AND OTHER 22 MEMBERS OF THE DEPARTMENT WHO ARE ASSIGNED OR APPOINTED TO THE 23 SPECIAL HOUSING DIVISION. 24 POLICE OFFICERS ASSIGNED OR APPOINTED TO THE SPECIAL HOUSING 25 DIVISION WITHIN THE DEPARTMENT: MAY EXERCISE ANY POLICE POWERS AUTHORIZED UNDER THIS 26 (1) 27 SUBTITLE; AND ARE SUBJECT TO THE RIGHTS AND DUTIES OF ANY POLICE OFFICER 28 (2)29 AS PROVIDED IN THIS SUBTITLE. SECTION 2. AND BE IT FURTHER ENACTED, That as of July 1, 2000, each 30 31 employee of the Housing Authority of Baltimore City Police Force and each Housing 32 Authority of Baltimore City police officer who is an employee of the Housing 33 Authority of Baltimore City as of June 30, 2000 shall become an employee of the 34 Police Department of Baltimore City, and shall have all the rights and duties of an

35 employee of the Police Department of Baltimore City as provided in Subtitle 16 of the

36 Code of the Public Local Laws of Baltimore City.

- 1 SECTION 3. AND BE IT FURTHER ENACTED, That as of July 1, 2000, each
- 2 employee of the Housing Authority of Baltimore City Police Force and each Housing
- 3 Authority of Baltimore City police officer who is an employee of the Housing
- 4 Authority of Baltimore City as of June 30, 2000 and a member of a pension or
- 5 retirement system operated by the Mayor and City Council of Baltimore shall be
- 6 subject to the provisions of Subtitle 16 of the Code of the Public Local Laws of
- 7 Baltimore City, including the pension protections and rights of officers or employees
- 8 of the Police Department of Baltimore City who prior to employment with the Police
- 9 Department of Baltimore City were members of another pension or retirement system
- 10 operated by the Mayor and City Council of Baltimore, as contained in § 16-32 of the
- 11 Code of the Public Local Laws of Baltimore City.
- 12 SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
- 13 take effect July 1, 2000.
- 14 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in
- 15 Section 4 of this Act, this Act shall take effect June 1, 2000.