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By: **Delegates Ports and Redmer**  
Introduced and read first time: January 28, 2002  
Assigned to: Judiciary

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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 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 (1998 Replacement Volume and 2001 Supplement)

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,  
18 and defenses as sheriffs, constables, police officers, and other peace officers possessed  
19 at common law and may now or hereafter exercise within their respective  
20 jurisdictions. Any warrant of arrest may be executed by a police employee in any part  
21 of the State without 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  
24 or suspected offender; (2) when in search of an offender or suspected offender wanted  
25 for a crime committed outside of the limits of the municipality, or when interviewing  
26 or seeking to interview a witness or supposed witness to such a crime; (3) when a  
27 crime is committed in the presence of the police employee, the arrested party shall be  
28 immediately transferred to the custody of the local law enforcement agency; (4) when  
29 requested to act by the chief executive officer or the chief police officer of the

1 municipality; (5) when ordered by the Governor to act within the municipality; (6)  
2 [except in Baltimore City,] when enforcing the motor vehicle laws of this State; (7)  
3 [in Baltimore City, only when enforcing Title 23 (Vehicle Laws - Inspection of Used  
4 Vehicles and Warnings for Defective Equipment) of the Transportation Article; (8)] in  
5 any building or place when ordered by the President of the Senate and the Speaker of  
6 the House of Delegates, or either of them, to guard the safety of legislators or the  
7 integrity of the legislative process; [(9)] (8) to protect the safety of an elected State  
8 official; [(10)] (9) in the municipalities of Somerset County; [(11)] (10) when enforcing  
9 Article 27, § 419A of the Code; [(12)](11) (i) 1. when participating in a joint  
10 investigation with officials from any other State, federal, or local law enforcement  
11 agency at least one of which shall have local jurisdiction; 2. when rendering  
12 assistance to a police officer; 3. when acting at the request of a local police officer; or  
13 4. when an emergency exists; and (ii) when acting in accordance with regulations  
14 adopted by the Secretary to implement this paragraph; or [(13)] (12) when conducting  
15 investigations relating to or otherwise enforcing the provisions of Article 27, § 146 of  
16 the Code.

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

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
22 effect October 1, 2002.