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By: **Prince George's County Delegation and Montgomery County  
Delegation**

Introduced and read first time: February 6, 2002  
Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Park Police -**  
3 **Expansion**  
4 **PG/MC 109-02**

5 FOR the purpose of creating a certain exception to the prohibition against construing  
6 a certain provision of State law to allow the expansion of park police forces of the  
7 Maryland-National Capital Park and Planning Commission beyond a certain  
8 limit; making the exception apply to a local law enacted in Prince George's  
9 County or in Montgomery County; clarifying that this Act applies to the  
10 expansion of Commission police forces in Prince George's County, Montgomery  
11 County, or both counties; and generally relating to the park police forces of the  
12 Maryland-National Capital Park and Planning Commission.

13 BY repealing and reenacting, without amendments,  
14 Article 28 - Maryland-National Capital Park and Planning Commission  
15 Section 5-114  
16 Annotated Code of Maryland  
17 (1997 Replacement Volume and 2001 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Chapter 569 of the Acts of the General Assembly of 1992  
20 Section 2

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

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

24 5-114.

25 (a) The Commission may appoint whatever park police officers as may be  
26 necessary to provide protection for the Commission's activities and property. In  
27 connection with the responsibility to provide that protection, it is the responsibility of

1 the park police to prevent crime, apprehend criminals, enforce the criminal and motor  
2 vehicle laws of the State, enforce park regulations and perform whatever other  
3 related duties as are imposed by the Commission. They have concurrent general  
4 police jurisdiction with the Montgomery and Prince George's County police within the  
5 parks and other areas and within buildings under the jurisdiction of the Commission,  
6 and that portion of all roads and sidewalks immediately adjacent to any property  
7 under the jurisdiction of the Commission. They possess all the powers and authority  
8 vested by existing law in the Montgomery and Prince George's County police; but they  
9 are responsible to and under the supervision of the Commission and shall exercise  
10 supervisory jurisdiction over the park system. They shall have whatever jurisdiction  
11 off park property that may be provided by any reciprocal agreement entered into  
12 pursuant to § 2-105 of the Criminal Procedure Article. The reciprocal agreement shall  
13 specify the circumstances under which a park police officer may make arrests off of  
14 park property. The agreement may allow such arrests in emergency or nonemergency  
15 situations, notwithstanding § 2-105 of the Criminal Procedure Article. The  
16 Montgomery and Prince George's County police have the same general police  
17 jurisdiction and responsibility for the apprehension of criminals and detection of  
18 crime within the parks and other areas and buildings under the Commission's  
19 jurisdiction as they have elsewhere in their respective counties.

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

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

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

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#### **Chapter 569 of the Acts of 1992**

29 SECTION 2. AND BE IT FURTHER ENACTED, That, EXCEPT AS OTHERWISE  
30 PROVIDED IN AN EXPRESS PROVISION OF A LOCAL LAW ENACTED IN PRINCE  
31 GEORGE'S COUNTY OR IN MONTGOMERY COUNTY, this Act may not be construed to  
32 authorize the Maryland-National Capital Park and Planning Commission to expand  
33 its police forces IN EITHER COUNTY OR BOTH COUNTIES beyond those needed to  
34 protect Commission activities and property.

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