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

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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2002

CHAPTER _____

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~~ mutual aid
9 agreement approved by Prince George's County or ~~in~~ by Montgomery County;
10 clarifying that this Act applies to the expansion of Commission police forces in
11 Prince George's County, Montgomery County, or both counties; and generally
12 relating to the park police forces of the Maryland-National Capital Park and
13 Planning Commission.

14 BY repealing and reenacting, without amendments,
15 Article 28 - Maryland-National Capital Park and Planning Commission
16 Section 5-114
17 Annotated Code of Maryland
18 (1997 Replacement Volume and 2001 Supplement)

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

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

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

4 5-114.

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

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

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

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

35 **Chapter 569 of the Acts of 1992**

36 SECTION 2. AND BE IT FURTHER ENACTED, That, EXCEPT AS OTHERWISE
37 PROVIDED IN AN EXPRESS PROVISION OF A ~~LOCAL LAW ENACTED IN PRINCE~~
38 ~~GEORGE'S COUNTY OR IN MONTGOMERY COUNTY~~ MUTUAL AID AGREEMENT
39 APPROVED BY PRINCE GEORGE'S COUNTY OR MONTGOMERY COUNTY IN
40 ACCORDANCE WITH § 2-105 OF THE CRIMINAL PROCEDURE ARTICLE, this Act may not
41 be construed to authorize the Maryland-National Capital Park and Planning

1 Commission to expand its police forces IN EITHER COUNTY OR BOTH COUNTIES
2 beyond those needed to protect Commission activities and property.

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