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By: **Delegate Fulton**  
Introduced and read first time: January 24, 2003  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **State Police - Jurisdiction**

3 FOR the purpose of authorizing the State Police to act anywhere in the State,  
4 including, at all times, within the limits of a municipal corporation that  
5 maintains a police force; requiring the State Police to investigate a murder  
6 under certain conditions; and generally relating to the State Police.

7 BY repealing and reenacting, without amendments,  
8 Article - Public Safety  
9 Section 2-101(a), (e), (i), and (l)  
10 Annotated Code of Maryland  
11 (As enacted by Chapter \_\_\_\_ (S.B. 1) of the Acts of the General Assembly of 2003)

12 BY repealing and reenacting, with amendments,  
13 Article - Public Safety  
14 Section 2-412  
15 Annotated Code of Maryland  
16 (As enacted by Chapter \_\_\_\_ (S.B. 1) of the Acts of the General Assembly of 2003)

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

19 **Article - Public Safety**

20 2-101.

21 (a) In this title the following words have the meanings indicated.

22 (e) "Department" means the Department of State Police.

23 (i) "Police employee" means an employee of the Department to whom the  
24 Secretary assigns the powers contained in § 2-412 of this title.

25 (l) "Secretary" means the Secretary of State Police.

1 2-412.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) "Emergency" means a sudden or unexpected happening or an  
4 unforeseen combination of circumstances that calls for immediate action to protect  
5 health, safety, welfare, or property from actual or threatened harm or from an  
6 unlawful act.

7 (3) "Municipal corporation" includes Baltimore City.

8 (b) (1) Police employees have throughout the State the same powers,  
9 privileges, immunities, and defenses as sheriffs, constables, police officers, and other  
10 peace officers possessed at common law and may now or in the future exercise within  
11 their respective jurisdictions.

12 (2) A police employee may execute an arrest warrant in any part of the  
13 State without further endorsement.

14 (c) [Police employees may not act within the limits of a municipal corporation  
15 that maintains a police force except:

16 (1) when in pursuit of a criminal or suspect;

17 (2) when in search of a criminal or suspect wanted for a crime committed  
18 outside of the limits of the municipal corporation or when interviewing or seeking to  
19 interview a witness or supposed witness to the crime;

20 (3) when a crime is committed in the presence of the police employee,  
21 and the arrested party must be immediately transferred to the custody of the local  
22 law enforcement agency;

23 (4) when requested to act by the chief executive officer or chief police  
24 officer of the municipal corporation;

25 (5) when ordered by the Governor to act within the municipal  
26 corporation;

27 (6) when enforcing the motor vehicle laws of the State, except in  
28 Baltimore City;

29 (7) in Baltimore City, only when enforcing Title 23 of the Transportation  
30 Article;

31 (8) in any building or place when ordered by either the President of the  
32 Senate or the Speaker of the House of Delegates to guard the safety of legislators or  
33 the integrity of the legislative process;

34 (9) to protect the safety of an elected State official;

35 (10) in the municipal corporations of Somerset County;

1 (11) when enforcing § 11-207 of the Criminal Law Article;

2 (12) (i) 1. when participating in a joint investigation with officials  
3 from another State, federal, or local law enforcement agency at least one of which has  
4 local jurisdiction;

5 2. when rendering assistance to a police officer;

6 3. when acting at the request of a local police officer; or

7 4. when an emergency exists; and

8 (ii) when acting in accordance with regulations adopted by the  
9 Secretary to implement this item; or

10 (13) when conducting investigations relating to or otherwise enforcing §  
11 7-302 of the Criminal Law Article.]

12 (1) POLICE EMPLOYEES MAY ACT ANYWHERE IN THE STATE, INCLUDING  
13 WITHIN THE LIMITS OF A MUNICIPAL CORPORATION THAT MAINTAINS A POLICE  
14 FORCE.

15 (2) WITH THE ASSISTANCE OF LOCAL LAW ENFORCEMENT UNITS,  
16 POLICE EMPLOYEES SHALL CONDUCT THE INVESTIGATION OF A MURDER:

17 (I) IF THE COUNTY IN WHICH THE MURDER OCCURRED REPORTED  
18 MORE THAN 50 MURDERS IN THE MOST RECENT 12-MONTH PERIOD FOR WHICH DATA  
19 ARE AVAILABLE, AS REPORTED BY THE UNIFORM CRIME REPORT OF THE  
20 DEPARTMENT; OR

21 (II) ON THE SECRETARY'S INITIATIVE OR AT THE REQUEST OF THE  
22 GOVERNOR, THE ATTORNEY GENERAL, THE GENERAL ASSEMBLY, OR A STATE'S  
23 ATTORNEY.

24 (d) A police employee may not be placed on detached service and act for a  
25 federal department, agency, or committee outside of the State without the written  
26 approval of the Governor or as otherwise provided by law.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2003.