
By: **Chairman, Judicial Proceedings Committee (By Request -
Departmental - General Services)**

Introduced and read first time: January 19, 2005

Rules suspended

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 16, 2005

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure - Police Officers - Notification of Department of**
3 **General Services**

4 FOR the purpose of requiring police officers acting under certain authority to notify
5 the chief of police of the Department of General Services, or the chief's designee,
6 of an investigation or enforcement action in which they are participating when
7 the officers are on certain property of the Department of General Services; and
8 generally relating to notification of investigations and enforcement actions by
9 police officers.

10 BY repealing and reenacting, with amendments,
11 Article - Criminal Procedure
12 Section 2-102(c)
13 Annotated Code of Maryland
14 (2001 Volume and 2004 Supplement)

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

17 **Article - Criminal Procedure**

18 2-102.

19 (c) (1) A police officer who acts under the authority granted by this section
20 shall notify the following persons of an investigation or enforcement action:

1 (i) 1. the chief of police, if any, or chief's designee, when in a
2 municipal corporation;

3 2. the Police Commissioner or Police Commissioner's
4 designee, when in Baltimore City;

5 3. the chief of police or chief's designee, when in a county
6 with a county police department, except Baltimore City;

7 4. the sheriff or sheriff's designee, when in a county without
8 a county police department;

9 5. the Secretary of Natural Resources or Secretary's
10 designee, when on property owned, leased, operated by, or under the control of the
11 Department of Natural Resources; [or]

12 6. the respective chief of police or chief's designee, when on
13 property owned, leased, operated by, or under the control of the Maryland
14 Transportation Authority, Maryland Aviation Administration, or Maryland Port
15 Administration; [and] OR

16 7. THE RESPECTIVE CHIEF OF POLICE OR THE CHIEF'S
17 DESIGNEE, WHEN ON PROPERTY OWNED, LEASED, OPERATED, MANAGED,
18 PATROLLED BY, OR UNDER THE CONTROL OF THE DEPARTMENT OF GENERAL
19 SERVICES; AND

20 (ii) the Department of State Police barrack commander or
21 commander's designee, unless there is an agreement otherwise with the Department
22 of State Police.

23 (2) When the police officer participates in a joint investigation with
24 officials from another State, federal, or local law enforcement unit, the police officer
25 shall give the notice required under paragraph (1) of this subsection reasonably in
26 advance.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
28 effect July 1, 2005.