
By: **Chairman, Appropriations Committee (By Request - Baltimore City
Community College)**

Introduced and read first time: March 2, 2006
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Community College - Creation of Police Force**

3 FOR the purpose of creating a Police Force for Baltimore City Community College as
4 a law enforcement agency; providing for certain Baltimore City Community
5 College police officers to be designated as police officers authorized by law to
6 make arrests and enjoy the rights provided under the Law Enforcement Officers
7 Bill of Rights; providing for the membership of certain police officers in the Law
8 Enforcement Officers' Pension System; and generally relating to the creation of
9 a police force for Baltimore City Community College.

10 BY repealing and reenacting, with amendments,

11 Article - Criminal Procedure
12 Section 2-101(c)
13 Annotated Code of Maryland
14 (2001 Volume and 2005 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article - Public Safety
17 Section 3-101(e)(1)
18 Annotated Code of Maryland
19 (2003 Volume and 2005 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article - State Personnel and Pensions
22 Section 26-201 and 26-202(b)(1)
23 Annotated Code of Maryland
24 (2004 Replacement Volume and 2005 Supplement)

25 BY adding to

26 Article - Education
27 Section 16-513
28 Annotated Code of Maryland

1 (2004 Replacement Volume and 2005 Supplement)

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

4 **Article - Criminal Procedure**

5 2-101.

6 (c) "Police officer" means a person who in an official capacity is authorized by
7 law to make arrests and is:

8 (1) a member of the Department of State Police;

9 (2) a member of the Police Department of Baltimore City;

10 (3) a member of the Baltimore City School Police Force;

11 (4) a member of the police department, bureau, or force of a county;

12 (5) a member of the police department, bureau, or force of a municipal
13 corporation;

14 (6) a member of the Maryland Transit Administration Police Force or
15 Maryland Transportation Authority Police Force;

16 (7) a member of the University of Maryland Police Force or Morgan State
17 University Police Force;

18 (8) a special police officer who is appointed to enforce the law and
19 maintain order on or protect property of the State or any of its units;

20 (9) a member of the Department of General Services security force;

21 (10) the sheriff of a county whose usual duties include the making of
22 arrests;

23 (11) a regularly employed deputy sheriff of a county who is compensated
24 by the county and whose usual duties include the making of arrests;

25 (12) a member of the Natural Resources Police Force of the Department of
26 Natural Resources;

27 (13) an authorized employee of the Field Enforcement Bureau of the
28 Comptroller's Office;

29 (14) a member of the Maryland-National Capital Park and Planning
30 Commission Park Police;

31 (15) a member of the Housing Authority of Baltimore City Police Force;

- 1 (16) a member of the Crofton Police Department;
- 2 (17) a member of the WMATA Metro Transit Police, subject to the
3 jurisdictional limitations under Article XVI, § 76 of the Washington Metropolitan
4 Area Transit Authority Compact, which is codified at § 10-204 of the Transportation
5 Article;
- 6 (18) a member of the Internal Investigative Unit of the Department;
- 7 (19) a member of the State Forest and Park Service Police Force of the
8 Department of Natural Resources;
- 9 (20) a member of the Department of Labor, Licensing, and Regulation
10 Police Force;
- 11 (21) a member of the Washington Suburban Sanitary Commission Police
12 Force; [or]
- 13 (22) a member of the Ocean Pines Police Department; OR
- 14 (23) A MEMBER OF THE BALTIMORE CITY COMMUNITY COLLEGE POLICE
15 FORCE.

16 **Article - Public Safety**

17 3-101.

- 18 (e) (1) "Law enforcement officer" means an individual who:
- 19 (i) in an official capacity is authorized by law to make arrests; and
- 20 (ii) is a member of one of the following law enforcement agencies:
- 21 1. the Department of State Police;
- 22 2. the Police Department of Baltimore City;
- 23 3. the Baltimore City School Police Force;
- 24 4. the Baltimore City Watershed Police Force;
- 25 5. the police department, bureau, or force of a county;
- 26 6. the police department, bureau, or force of a municipal
27 corporation;
- 28 7. the office of the sheriff of a county;
- 29 8. the police department, bureau, or force of a bicounty
30 agency;

- 1 9. the Maryland Transportation Authority Police;
- 2 10. the police forces of the Department of Transportation;
- 3 11. the police forces of the Department of Natural Resources;
- 4 12. the Field Enforcement Bureau of the Comptroller's Office;
- 5 13. the Housing Authority of Baltimore City Police Force;
- 6 14. the Crofton Police Department;
- 7 15. the police force of the Department of Health and Mental
8 Hygiene;
- 9 16. the police force of the Department of General Services;
- 10 17. the police force of the Department of Labor, Licensing, and
11 Regulation;
- 12 18. the police forces of the University System of Maryland;
- 13 19. the police force of Morgan State University;
- 14 20. the office of State Fire Marshal; [or]
- 15 21. the Ocean Pines Police Department; OR
- 16 22. THE BALTIMORE CITY COMMUNITY COLLEGE POLICE
17 FORCE.

18 **Article - State Personnel and Pensions**

19 26-201.

20 (a) Except as provided in subsection (b) of this section, this subtitle applies
21 only to:

22 (1) an employee of the Department of Natural Resources commissioned
23 by the Secretary of Natural Resources as:

24 (i) a Natural Resources police officer; or

25 (ii) a law enforcement officer, other than a Natural Resources police
26 officer;

27 (2) a law enforcement officer employed by the Field Enforcement
28 Bureau;

1 (3) a member of the Maryland Transportation Authority Police Force
2 who has the powers granted to a police officer under § 4-208 of the Transportation
3 Article;

4 (4) a deputy sheriff employed by the Baltimore City Sheriff's
5 Department;

6 (5) a member of the University of Maryland Police Force who has the
7 powers granted to a police officer under § 13-601 of the Education Article;

8 (6) a law enforcement officer or firefighter employed by a participating
9 governmental unit that on or after July 1, 1999 has elected to participate in the Law
10 Enforcement Officers' Pension System;

11 (7) the State Fire Marshal or a Deputy State Fire Marshal;

12 (8) a member of the Morgan State University Police Force who has the
13 powers granted to a police officer under § 14-106 of the Education Article;

14 (9) a member of the BWI Airport Fire & Rescue Department;

15 (10) a member of the Department of General Services Police Force who
16 has the powers granted to a police officer under § 4-605 of the State Finance and
17 Procurement Article;

18 (11) an employee of the Department of Health and Mental Hygiene
19 commissioned by the Secretary of Health and Mental Hygiene as a Health and Mental
20 Hygiene police officer;

21 (12) an employee of the Motor Vehicle Administration commissioned by
22 the Secretary of Transportation as a Motor Vehicle Administration police officer;

23 (13) an employee of the Department of Labor, Licensing, and Regulation
24 commissioned by the Secretary of Labor, Licensing, and Regulation as a Labor,
25 Licensing, and Regulation police officer;

26 (14) a firefighter for the Martin State Airport employed by the Military
27 Department;

28 (15) a police officer employed by the Division of Rehabilitation Services in
29 the Department of Education, certified in accordance with the Maryland Police and
30 Correctional Training Commissions;

31 (16) a firefighter or paramedic employed by the Salisbury Fire
32 Department who is eligible to be a member as provided in Title 31, Subtitle 2A of this
33 article;

34 (17) an aviator employed by the Department of State Police to operate an
35 aircraft for the State Emergency Medical System; [or]

1 (18) a member of the Maryland Transit Administration Police Force who
2 has the powers granted to a police officer under § 7-207 of the Transportation Article;
3 OR

4 (19) A POLICE OFFICER EMPLOYED BY THE BALTIMORE CITY
5 COMMUNITY COLLEGE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER
6 UNDER § 16-513 OF THE EDUCATION ARTICLE.

7 (b) This subtitle does not apply to:

8 (1) a Maryland Transportation Authority police officer who transferred
9 from the Employees' Retirement System to the Employees' Pension System on or after
10 December 1, 1996;

11 (2) a deputy sheriff employed by the Baltimore City Sheriff's
12 Department who transferred from the Employees' Retirement System to the
13 Employees' Pension System on or after December 1, 1996;

14 (3) a member of the University of Maryland Police Force who transferred
15 from the Employees' Retirement System to the Employees' Pension System on or after
16 December 1, 1997;

17 (4) a law enforcement officer or firefighter employed by a participating
18 governmental unit who transferred from the Employees' Retirement System to the
19 Employees' Pension System on or after December 1, 1997;

20 (5) a Maryland Port Administration police officer who transferred from
21 the Employees' Retirement System to the Employees' Pension System on or after
22 December 1, 1997;

23 (6) a State Fire Marshal or Deputy State Fire Marshal who transferred
24 from the Employees' Retirement System to the Employees' Pension System on or after
25 December 1, 1996;

26 (7) a member of the Morgan State University Police Force who
27 transferred from the Employees' Retirement System to the Employees' Pension
28 System on or after December 1, 1997;

29 (8) a member of the BWI Airport Fire & Rescue Department who
30 transferred from the Employees' Retirement System to the Employees' Pension
31 System on or after April 1, 1998;

32 (9) a member of the Department of General Services, Department of
33 Health and Mental Hygiene, Motor Vehicle Administration, or Department of Labor,
34 Licensing, and Regulation Police Force who transferred from the Employees'
35 Retirement System to the Employees' Pension System on or after April 1, 1998;

36 (10) a firefighter for the Martin State Airport employed by the Military
37 Department who transferred from the Employees' Retirement System to the
38 Employees' Pension System on or after April 1, 1998;

1 (11) a police officer employed by the Division of Rehabilitation Services in
2 the Department of Education who:

3 (i) is certified in accordance with the Maryland Police and
4 Correctional Training Commissions; and

5 (ii) transferred from the Employees' Retirement System to the
6 Employees' Pension System on or after April 1, 1998;

7 (12) a firefighter or paramedic employed by the Salisbury Fire
8 Department who transferred from the Employees' Retirement System to the
9 Employees' Pension System on or after April 1, 1998; [or]

10 (13) an aviator employed by the Department of State Police to operate an
11 aircraft for the State Emergency Medical System who transferred from the
12 Employees' Retirement System to the Employees' Pension System on or after April 1,
13 1998; OR

14 (14) A POLICE OFFICER EMPLOYED BY THE BALTIMORE CITY
15 COMMUNITY COLLEGE WHO TRANSFERRED FROM THE EMPLOYEES' RETIREMENT
16 SYSTEM TO THE EMPLOYEES' PENSION SYSTEM ON OR AFTER DECEMBER 1, 1996.

17 26-202.

18 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law
19 Enforcement Officers' Pension System is optional for an individual described in §
20 26-201 of this subtitle:

21 (i) who was employed by the Department of Natural Resources on
22 July 1, 1990 and who elects membership on or before December 31, 2002;

23 (ii) who was employed by the Field Enforcement Division on June
24 30, 1995 and who elects membership on or before December 31, 2002;

25 (iii) who was employed by the Maryland Transportation Authority
26 on June 30, 1997 and who elects membership on or before December 31, 2002;

27 (iv) who was employed by the Baltimore City Sheriff's Department
28 on June 30, 1997 and who elects membership on or before December 31, 2002;

29 (v) who was employed by the University of Maryland Police Force
30 on June 30, 1999 and who elects membership on or before December 31, 2002;

31 (vi) who is employed by a participating governmental unit on the
32 effective date of participation on or after July 1, 1999 for that participating
33 governmental unit and who elects membership within 6 months of the effective date
34 of participation;

35 (vii) who was employed by the Maryland Port Administration Police
36 Force and was subsequently transferred to and employed by the Maryland

1 Transportation Authority Police Force on July 1, 1998 and who elects membership on
2 or before December 31, 2002;

3 (viii) who was employed by the office of the State Fire Marshal on
4 June 30, 1998 and who elects membership on or before December 31, 2002;

5 (ix) who was employed by the Morgan State University Police Force
6 on June 30, 1999 and who elects membership on or before December 31, 2002;

7 (x) who was employed by the BWI Airport Fire & Rescue
8 Department on June 30, 2000, and who elects membership on or before December 31,
9 2002;

10 (xi) who was employed by the Department of General Services,
11 Department of Health and Mental Hygiene, Motor Vehicle Administration, and
12 Department of Labor, Licensing, and Regulation Police Force on June 30, 2000 and
13 who elects membership on or before December 31, 2002;

14 (xii) who was employed by the Military Department as a firefighter
15 at Martin State Airport on June 30, 2001, and who elects membership on or before
16 December 31, 2002;

17 (xiii) who was employed on June 30, 2002, by the Division of
18 Rehabilitation Services in the Department of Education as a police officer certified in
19 accordance with the Maryland Police and Correctional Training Commissions, and
20 who elects membership on or before December 31, 2002;

21 (xiv) who was employed on June 30, 2004, by the Salisbury Fire
22 Department as a firefighter or paramedic and who elects membership on or before
23 December 31, 2004, if eligible under Title 31, Subtitle 2A of this article; [or]

24 (xv) who was employed on June 30, 2005, by the Department of
25 State Police as an aviator operating an aircraft for the State Emergency Medical
26 System, and who elects membership on or before December 31, 2005; OR

27 (XVI) WHO WAS EMPLOYED ON JUNE 30, 2006, AS A POLICE OFFICER
28 BY THE BALTIMORE CITY COMMUNITY COLLEGE POLICE FORCE AND WHO ELECTS
29 MEMBERSHIP ON OR BEFORE DECEMBER 31, 2006.

30 **Article - Education**

31 16-513.

32 (A) THERE IS A BALTIMORE CITY COMMUNITY COLLEGE POLICE FORCE.

33 (B) (1) A BALTIMORE CITY COMMUNITY COLLEGE POLICE OFFICER HAS THE
34 POWERS GRANTED TO A PEACE AND POLICE OFFICER.

1 (2) (I) A BALTIMORE CITY COMMUNITY COLLEGE POLICE OFFICER
2 MAY EXERCISE THESE POWERS ONLY ON PROPERTY THAT IS OWNED, LEASED,
3 OPERATED BY, OR UNDER THE CONTROL OF BALTIMORE CITY COMMUNITY COLLEGE.

4 (II) THE POLICE OFFICER MAY NOT EXERCISE THESE POWERS ON
5 ANY OTHER PROPERTY UNLESS:

6 1. ENGAGED IN FRESH PURSUIT OF A SUSPECTED
7 OFFENDER;

8 2. NECESSARY TO FACILITATE THE ORDERLY FLOW OF
9 TRAFFIC TO AND FROM PROPERTY OWNED, LEASED, OPERATED BY, OR UNDER THE
10 CONTROL OF BALTIMORE CITY COMMUNITY COLLEGE; OR

11 3. ORDERED TO DO SO BY THE GOVERNOR.

12 (C) (1) IN CONSULTATION WITH THE SECRETARY OF STATE POLICE AND
13 THE MARYLAND POLICE TRAINING COMMISSION, THE BOARD OF TRUSTEES SHALL
14 ADOPT STANDARDS, QUALIFICATIONS, AND PREREQUISITES OF CHARACTER,
15 TRAINING, EDUCATION, HUMAN AND PUBLIC RELATIONS, AND EXPERIENCE FOR
16 BALTIMORE CITY COMMUNITY COLLEGE POLICE OFFICERS, INCLUDING STANDARDS
17 FOR THE PERFORMANCE OF THEIR DUTIES.

18 (2) TO THE EXTENT PRACTICABLE, THE BOARD SHALL ADOPT
19 STANDARDS THAT ARE SIMILAR TO THE STANDARDS ADOPTED FOR THE
20 DEPARTMENT OF STATE POLICE.

21 (D) THE BOARD OF TRUSTEES SHALL ADOPT REGULATIONS GOVERNING THE
22 OPERATION AND CONDUCT OF THE BALTIMORE CITY COMMUNITY COLLEGE POLICE
23 FORCE AND OF BALTIMORE CITY COMMUNITY COLLEGE POLICE OFFICERS.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
25 effect July 1, 2006.