

HB0108/152112/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 108

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Prohibition” and substitute “Procedures and Reports”; strike beginning with “prohibiting” in line 3 down through “training;” in line 7 and substitute “requiring a law enforcement agency to follow certain procedures and file a certain report with the Governor’s Office of Crime Control and Prevention whenever a law enforcement officer employed by the law enforcement agency discharges a certain electronic weapon under certain circumstances; requiring a law enforcement officer to file a certain report with the Governor’s Office of Crime Control and Prevention whenever an individual other than a law enforcement officer discharges a certain electronic weapon under certain circumstances; requiring the Governor’s Office of Crime Control and Prevention to compile and allow public inspection of certain reports;”; strike in their entirety lines 9 through 14, inclusive, and substitute “BY adding to”; in line 16, strike “3-207” and substitute “3-507”; in line 21, strike “Criminal Law” and substitute “Public Safety”; and in line 22, strike “**4-109**” and substitute “**3-507**”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 6 on page 2 through line 19 on page 4, inclusive, and substitute:

“(3) “LAW ENFORCEMENT AGENCY” MEANS THE DIVISION OF CORRECTION OR A POLICE DEPARTMENT OF THE STATE, A COUNTY, OR A MUNICIPAL CORPORATION.

“(4) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN § 3-201 OF THE CRIMINAL LAW ARTICLE.

(Over)

(B) WHENEVER A LAW ENFORCEMENT OFFICER DISCHARGES AN ELECTRONIC WEAPON IN THE COURSE OF THE LAW ENFORCEMENT OFFICER'S DUTIES, THE LAW ENFORCEMENT AGENCY THAT EMPLOYS THE LAW ENFORCEMENT OFFICER SHALL:

(1) FOLLOW THE SAME PROCEDURES THAT IT FOLLOWS WHEN A LAW ENFORCEMENT OFFICER DISCHARGES A FIREARM; AND

(2) FILE A REPORT WITH THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION DOCUMENTING THE DISCHARGE OF THE ELECTRONIC WEAPON.

(C) WHENEVER AN INDIVIDUAL OTHER THAN A LAW ENFORCEMENT OFFICER DISCHARGES AN ELECTRONIC WEAPON, AND A LAW ENFORCEMENT OFFICER REPORTS TO THE SCENE, THE LAW ENFORCEMENT OFFICER SHALL FILE A REPORT WITH THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION DOCUMENTING THE DISCHARGE OF THE ELECTRONIC WEAPON.

(D) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION SHALL COMPILE AND ALLOW PUBLIC INSPECTION OF ALL REPORTS FILED RELATING TO THE DISCHARGE OF ELECTRONIC WEAPONS BY LAW ENFORCEMENT OFFICERS AND OTHER INDIVIDUALS."