

HOUSE BILL 239

E4

8lr1749
CF SB 120

By: ~~Delegate Love~~ Anne Arundel County Delegation

Introduced and read first time: January 23, 2008

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2008

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County and City of Annapolis – Fire and Explosive**
3 **~~Investigations – Deputy Fire Marshal~~ Investigators – Qualifications**

4 FOR the purpose of ~~requiring that an Anne~~ altering the definition of “Anne Arundel
5 County or City of Annapolis fire and explosive investigator have the rank of
6 deputy fire marshal or higher investigator” to include certain additional
7 qualifications; and generally relating to fire and explosive ~~investigations~~
8 investigators in Anne Arundel County and the City of Annapolis.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Procedure
11 Section 2–208.2
12 Annotated Code of Maryland
13 (2001 Volume and 2007 Supplement)

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

16 **Article – Criminal Procedure**

17 2–208.2.

18 (a) In this section, “Anne Arundel County or City of Annapolis fire and
19 explosive investigator” means an individual who:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (1) is assigned **FULL TIME** to the Fire and Explosive Investigations
2 Section of the Anne Arundel County or City of Annapolis Fire Marshal's Office **AND IS**
3 **A PAID EMPLOYEE;**

4 (2) has ~~the rank of a [fire rescue lieutenant]~~ **DEPUTY FIRE MARSHAL**
5 ~~or higher; and~~ **BEEN EMPLOYED BY THE ANNE ARUNDEL COUNTY OR CITY OF**
6 **ANNAPOLIS FIRE DEPARTMENT AS A FIREFIGHTER FOR AT LEAST 5 YEARS;**

7 (3) has successfully completed a training program from a police
8 training school approved by the Police Training Commission established under Title 3,
9 Subtitle 2 of the Public Safety Article; **AND**

10 **(4) AT ALL TIMES MAINTAINS ACTIVE CERTIFICATION BY THE**
11 **POLICE TRAINING COMMISSION.**

12 (b) Except as provided in subsection (c) of this section, an Anne Arundel
13 County or City of Annapolis fire and explosive investigator has the same authority
14 granted to the State Fire Marshal or a full-time investigative and inspection assistant
15 of the Office of the State Fire Marshal under § 2-208 of this subtitle:

16 (1) while operating in Anne Arundel County or the City of Annapolis;
17 and

18 (2) while operating outside Anne Arundel County or the City of
19 Annapolis when:

20 (i) the Anne Arundel County or City of Annapolis fire and
21 explosive investigator is participating in a joint investigation with officials from
22 another state, federal, or local law enforcement unit, at least one of which has local
23 jurisdiction;

24 (ii) the Anne Arundel County or City of Annapolis fire and
25 explosive investigator is rendering assistance to another law enforcement officer;

26 (iii) the Anne Arundel County or City of Annapolis fire and
27 explosive investigator is acting at the request of a law enforcement officer or State law
28 enforcement officer; or

29 (iv) an emergency exists.

30 (c) The Anne Arundel County or City of Annapolis Fire Chief:

31 (1) may limit the authority of an Anne Arundel County or City of
32 Annapolis fire and explosive investigator under this section; and

33 (2) shall express the limitation in a written policy.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.