

# HOUSE BILL 824

L2, E4

8lr0656

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By: **Montgomery County Delegation**

Introduced and read first time: February 6, 2008

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2008

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Montgomery County – Fire and Explosive Investigator – ~~Rank~~ Qualifications**

3 **MC 805–08**

4 FOR the purpose of repealing the requirement that an individual must have attained  
5 a certain rank to become a fire and explosive investigator in Montgomery  
6 County; altering the definition of “Montgomery County fire and explosive  
7 investigator” to include certain additional qualifications; correcting certain  
8 language; and generally relating to fire and explosive investigators in  
9 Montgomery County.

10 BY repealing and reenacting, with amendments,  
11 Article – Criminal Procedure  
12 Section 2–208.1(a) and (c)  
13 Annotated Code of Maryland  
14 (2001 Volume and 2007 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 2–208.1.

19 (a) In this section, “Montgomery County fire and explosive investigator”  
20 means an individual who:

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**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 Montgomery County Fire Marshal's Office **AND IS A PAID EMPLOYEE;**  
3 ~~and~~

4 (2) ~~[(i) has the rank of a fire rescue lieutenant or higher; and~~ **BEEN**  
5 **EMPLOYED BY THE MONTGOMERY COUNTY FIRE AND RESCUE SERVICE AS A**  
6 **FIREFIGHTER/RESCUER FOR AT LEAST 5 YEARS;**

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

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

12 (c) The Montgomery County Fire [Administrator] **CHIEF:**

13 (1) may limit the authority of a Montgomery County fire and explosive  
14 investigator under this section; and

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.