

# SENATE BILL 120

E4

(8lr1531)

## *ENROLLED BILL*

—*Judicial Proceedings / Judiciary*—

Introduced by **Senator Astle**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### 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)

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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.

*Italics* indicate opposite chamber / conference committee amendments.



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

3 **Article – Criminal Procedure**

4 2–208.2.

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

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

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

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

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

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

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

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

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

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

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

4 (iv) an emergency exists.

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

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.