

SENATE BILL 120

E4

8lr1531
CF HB 239

By: **Senator Astle**

Introduced and read first time: January 17, 2008

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 12, 2008

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of requiring that an Anne Arundel County or City of Annapolis fire
5 and explosive investigator have the rank of deputy fire marshal or higher; and
6 generally relating to fire and explosive investigations in Anne Arundel County
7 and the City of Annapolis.

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

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

15 **Article – Criminal Procedure**

16 2–208.2.

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

19 (1) is assigned to the Fire and Explosive Investigations Section of the
20 Anne Arundel County or City of Annapolis Fire Marshal’s Office;

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 (2) has the rank of a [fire rescue lieutenant] **DEPUTY FIRE MARSHAL**
2 or higher; and

3 (3) has successfully completed a training program from a police
4 training school approved by the Police Training Commission established under Title 3,
5 Subtitle 2 of the Public Safety Article.

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

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

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

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

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

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

23 (iv) an emergency exists.

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

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

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

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