

SENATE BILL 316

E1

8lr2253

CF 8lr0454

By: **Senators Robey, Garagiola, Kasemeyer, King, Kittleman, Lenett, Munson, Peters, Pugh, and Stoltzfus**

Introduced and read first time: January 28, 2008

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Impersonation of a Police Officer – Penalties**

3 FOR the purpose of altering the classification of the crime of impersonating certain
4 police officers, special police officers, sheriffs, deputy sheriffs, constables, or
5 certain other law enforcement officers wearing a certain police article without a
6 certain authorization, or having a simulation or imitation of a certain police
7 article under certain circumstances from a misdemeanor to a felony and
8 increasing the penalties for a violation of the offense; and generally relating to
9 the crime of impersonating police officers, special police officers, sheriffs, deputy
10 sheriffs, constables, or certain other law enforcement officers.

11 BY repealing and reenacting, with amendments,
12 Article – Public Safety
13 Section 3–502
14 Annotated Code of Maryland
15 (2003 Volume and 2007 Supplement)

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

18 **Article – Public Safety**

19 3–502.

20 (a) In this section, “police officer” means a member of:

21 (1) a police force of this State or another state;

22 (2) a police force of a county or municipal corporation of this State or
23 another state;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) the United States Secret Service Uniformed Division;

2 (4) the United States Park Police;

3 (5) the Federal Bureau of Investigation;

4 (6) the Drug Enforcement Administration; or

5 (7) a division of a federal agency the primary duties of which are the
6 investigation, apprehension, or detention of individuals suspected or convicted of
7 federal crimes.

8 (b) A person may not, with fraudulent design on person or property, falsely
9 represent that the person is a police officer, special police officer, sheriff, deputy
10 sheriff, or constable.

11 (c) Except as provided in subsection (e) of this section, a person may not
12 have, use, wear, or display a uniform, shield, button, ornament, badge, identification,
13 or shoulder patch adopted by the Department of State Police to be worn by its
14 members, insignia, or emblem of office, as is worn by a police officer, sheriff, deputy
15 sheriff, or constable.

16 (d) A person may not, for the purpose of deception, have a simulation or
17 imitation of an article described in subsection (c) of this section as is worn by a police
18 officer, sheriff, deputy sheriff, or constable.

19 (e) A person may have, use, wear, or display an article described in
20 subsection (c) of this section with the appropriate authority of:

21 (1) the Secretary of State Police;

22 (2) a police force of another state;

23 (3) the Police Commissioner of Baltimore City;

24 (4) the chief of police of a county or municipal corporation of this State
25 or another state;

26 (5) a sheriff or deputy sheriff;

27 (6) a constable;

28 (7) the United States Secret Service Uniformed Division;

29 (8) the United States Park Police;

30 (9) the Federal Bureau of Investigation;

1 (10) the Drug Enforcement Administration; or

2 (11) a division of a federal agency the primary duties of which are the
3 investigation, apprehension, or detention of individuals suspected or convicted of
4 federal crimes.

5 (f) A person who violates this section is guilty of a [misdemeanor] **FELONY**
6 and on conviction is subject to imprisonment not exceeding [2] **5** years or a fine not
7 exceeding [\$2,000] **\$5,000** or both.

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