

HOUSE BILL 361

F4, E4

9lr1336

By: **Washington County Delegation**

Introduced and read first time: January 30, 2009

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Hagerstown Community College Police Force**

3 FOR the purpose of establishing a police force for the Hagerstown Community College;
4 specifying the powers of a Hagerstown Community College police officer;
5 requiring the Board of Trustees of the Hagerstown Community College to adopt
6 certain standards and regulations; including a member of the police force of the
7 Hagerstown Community College in the defined term “police officer” in
8 connection with provisions of law relating to the authority to make arrests;
9 including a member of the police force of the Hagerstown Community College in
10 the defined term “law enforcement officer” in connection with provisions of law
11 relating to the Maryland Police Training Commission and the Law Enforcement
12 Officers’ Bill of Rights; and generally relating to the police force of the
13 Hagerstown Community College.

14 BY repealing and reenacting, with amendments,
15 Article – Criminal Procedure
16 Section 2–101(c)(22) and (23)
17 Annotated Code of Maryland
18 (2008 Replacement Volume)

19 BY adding to
20 Article – Criminal Procedure
21 Section 2–101(c)(24)
22 Annotated Code of Maryland
23 (2008 Replacement Volume)

24 BY adding to
25 Article – Education
26 Section 16–407.1
27 Annotated Code of Maryland
28 (2008 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
 2 Article – Public Safety
 3 Section 3–101(e)(1)(ii)21. and 22. and 3–201(e)(1)(ii)18. and 19.
 4 Annotated Code of Maryland
 5 (2003 Volume and 2008 Supplement)

6 BY adding to
 7 Article – Public Safety
 8 Section 3–101(e)(1)(ii)23. and 3–201(e)(1)(ii)20.
 9 Annotated Code of Maryland
 10 (2003 Volume and 2008 Supplement)

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

13 **Article – Criminal Procedure**

14 2–101.

15 (c) “Police officer” means a person who in an official capacity is authorized by
 16 law to make arrests and is:

17 (22) a member of the Ocean Pines Police Department; [or]

18 (23) a member of the police force of the Baltimore City Community
 19 College; **OR**

20 (24) **A MEMBER OF THE POLICE FORCE OF THE HAGERSTOWN**
 21 **COMMUNITY COLLEGE.**

22 **Article – Education**

23 **16–407.1.**

24 (A) **THERE IS A HAGERSTOWN COMMUNITY COLLEGE POLICE FORCE.**

25 (B) (1) **A HAGERSTOWN COMMUNITY COLLEGE POLICE OFFICER HAS**
 26 **THE POWERS GRANTED TO A PEACE AND POLICE OFFICER.**

27 (2) (I) **A HAGERSTOWN COMMUNITY COLLEGE POLICE**
 28 **OFFICER MAY EXERCISE THESE POWERS ONLY ON PROPERTY THAT IS OWNED,**
 29 **LEASED, OPERATED BY, OR UNDER THE CONTROL OF HAGERSTOWN**
 30 **COMMUNITY COLLEGE.**

1 (II) THE POLICE OFFICER MAY NOT EXERCISE THESE
2 POWERS ON ANY OTHER PROPERTY UNLESS:

3 1. ENGAGED IN FRESH PURSUIT OF A SUSPECTED
4 OFFENDER;

5 2. NECESSARY TO FACILITATE THE ORDERLY FLOW
6 OF TRAFFIC TO AND FROM PROPERTY OWNED, LEASED, OPERATED BY, OR
7 UNDER THE CONTROL OF HAGERSTOWN COMMUNITY COLLEGE; OR

8 3. ORDERED TO DO SO BY THE GOVERNOR.

9 (C) (1) IN CONSULTATION WITH THE SECRETARY OF STATE POLICE
10 AND THE MARYLAND POLICE TRAINING COMMISSION, THE HAGERSTOWN
11 COMMUNITY COLLEGE BOARD OF TRUSTEES SHALL ADOPT STANDARDS,
12 QUALIFICATIONS, AND PREREQUISITES OF CHARACTER, TRAINING, EDUCATION,
13 HUMAN AND PUBLIC RELATIONS, AND EXPERIENCE FOR HAGERSTOWN
14 COMMUNITY COLLEGE POLICE OFFICERS, INCLUDING STANDARDS FOR THE
15 PERFORMANCE OF THEIR DUTIES.

16 (2) TO THE EXTENT PRACTICABLE, THE BOARD SHALL ADOPT
17 STANDARDS THAT ARE SIMILAR TO THE STANDARDS ADOPTED FOR THE
18 DEPARTMENT OF STATE POLICE.

19 (D) THE HAGERSTOWN COMMUNITY COLLEGE BOARD OF TRUSTEES
20 SHALL ADOPT REGULATIONS GOVERNING THE OPERATION AND CONDUCT OF
21 THE HAGERSTOWN COMMUNITY COLLEGE POLICE FORCE AND OF
22 HAGERSTOWN COMMUNITY COLLEGE POLICE OFFICERS.

23 Article - Public Safety

24 3-101.

25 (e) (1) "Law enforcement officer" means an individual who:

26 (ii) is a member of one of the following law enforcement
27 agencies:

28 21. the Ocean Pines Police Department; [or]

29 22. the police force of the Baltimore City Community
30 College; OR

31 23. THE POLICE FORCE OF THE HAGERSTOWN
32 COMMUNITY COLLEGE.

1 3-201.

2 (e) (1) "Police officer" means an individual who:

3 (ii) is a member of one of the following law enforcement
4 agencies:

5 18. the Ocean Pines Police Department; [or]

6 19. the police force of the Baltimore City Community
7 College; **OR**

8 **20. THE POLICE FORCE OF THE HAGERSTOWN**
9 **COMMUNITY COLLEGE.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2009.