

# HOUSE BILL 361

F4, E4

9lr1336

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By: **Washington County Delegation**

Introduced and read first time: January 30, 2009

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: March 10, 2009

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

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)

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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 BY adding to  
2 Article – Education  
3 Section 16–407.1  
4 Annotated Code of Maryland  
5 (2008 Replacement Volume)

6 BY repealing and reenacting, with amendments,  
7 Article – Public Safety  
8 Section 3–101(e)(1)(ii)21. and 22. and 3–201(e)(1)(ii)18. and 19.  
9 Annotated Code of Maryland  
10 (2003 Volume and 2008 Supplement)

11 BY adding to  
12 Article – Public Safety  
13 Section 3–101(e)(1)(ii)23. and 3–201(e)(1)(ii)20.  
14 Annotated Code of Maryland  
15 (2003 Volume and 2008 Supplement)

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

18 **Article – Criminal Procedure**

19 2–101.

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

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

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

25 (24) **A MEMBER OF THE POLICE FORCE OF THE HAGERSTOWN**  
26 **COMMUNITY COLLEGE.**

27 **Article – Education**

28 **16–407.1.**

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

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

1           (2) (I) A HAGERSTOWN COMMUNITY COLLEGE POLICE  
2 OFFICER MAY EXERCISE THESE POWERS ONLY ON PROPERTY THAT IS OWNED,  
3 LEASED, OPERATED BY, OR UNDER THE CONTROL OF HAGERSTOWN  
4 COMMUNITY COLLEGE.

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

7                           1. ENGAGED IN FRESH PURSUIT OF A SUSPECTED  
8 OFFENDER;

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

12                           3. ORDERED TO DO SO BY THE GOVERNOR.

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

20                   (2) TO THE EXTENT PRACTICABLE, THE BOARD SHALL ADOPT  
21 STANDARDS THAT ARE SIMILAR TO THE STANDARDS ADOPTED FOR THE  
22 DEPARTMENT OF STATE POLICE.

23           (D) THE HAGERSTOWN COMMUNITY COLLEGE BOARD OF TRUSTEES  
24 SHALL ADOPT REGULATIONS GOVERNING THE OPERATION AND CONDUCT OF  
25 THE HAGERSTOWN COMMUNITY COLLEGE POLICE FORCE AND OF  
26 HAGERSTOWN COMMUNITY COLLEGE POLICE OFFICERS.

27                                   Article - Public Safety

28           3-101.

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

30                                   (ii) is a member of one of the following law enforcement  
31 agencies:

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

1 22. the police force of the Baltimore City Community  
2 College; **OR**

3 **23. THE POLICE FORCE OF THE HAGERSTOWN**  
4 **COMMUNITY COLLEGE.**

5 3-201.

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

7 (ii) is a member of one of the following law enforcement  
8 agencies:

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

10 19. the police force of the Baltimore City Community  
11 College; **OR**

12 **20. THE POLICE FORCE OF THE HAGERSTOWN**  
13 **COMMUNITY COLLEGE.**

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.