

HOUSE BILL 1128

D2

9lr0583

By: **Prince George's County Delegation**

Introduced and read first time: February 13, 2009

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Sheriff and Sheriff's Deputies - Alteration of Duties**

3 **PG 304-09**

4 FOR the purpose of repealing a certain termination date concerning certain duties of
5 the Sheriff and Sheriff's deputies of Prince George's County; and generally
6 relating to repealing a certain termination date concerning certain duties of the
7 Sheriff and Sheriff's deputies of Prince George's County.

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 2-309(r)(8)
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2008 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article - Courts and Judicial Proceedings
15 Section 2-309(r)(9) and (10)
16 Annotated Code of Maryland
17 (2006 Replacement Volume and 2008 Supplement)

18 BY repealing and reenacting, with amendments,
19 Chapter 618 of the Acts of the General Assembly of 2007
20 Section 2

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

23 **Article - Courts and Judicial Proceedings**

24 2-309.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (r) (8) (i) The Sheriff and the Sheriff's deputies shall be limited in
2 their duties as law enforcement officers, as follows:

3 1. The full power of arrest, the service of process of all
4 writs, summonses, orders, petitions, subpoenas, warrants, rules to show cause, and all
5 other legal papers;

6 2. The care and supervision of prisoners at any of the
7 county detention centers, hospitals, penal institutions, or other places of confinement;

8 3. The security of all State and county courts and the
9 performance of such duties as may be required of them by the courts;

10 4. The transportation of all legally detained persons;

11 5. The administration and enforcement of casino night
12 permits as authorized by the governing body of the county; and

13 6. As of October 1, 2007, specific duties as authorized by
14 the county governing body, including:

15 A. Responding to domestic violence calls;

16 B. Acting as school resource deputies in county schools;
17 and

18 C. Providing security for Prince George's County public
19 school sporting events and extracurricular activities that are held in the county,
20 sponsored by a public school, and open to the public.

21 (ii) 1. The duties authorized in subparagraph (i)6 of this
22 paragraph shall be enumerated in a memorandum of understanding entered into by
23 the Prince George's County Police Department and the Office of the Sheriff of Prince
24 George's County.

25 2. The memorandum of understanding may be revised
26 only by the county governing body.

27 3. The memorandum of understanding is in effect from
28 the date it is signed by both parties but not before October 1, 2007[, until the end of
29 September 30, 2010].

30 (9) Neither the Sheriff of Prince George's County nor any of the
31 Sheriff's deputies shall conduct criminal investigations, except:

32 (i) In matters concerning the Sheriff's department;

1 (ii) On request of the courts;

2 (iii) As necessary for the administration and enforcement of
3 casino night permits as authorized by the county governing body; or

4 (iv) In investigations arising out of or incident to normally
5 assigned duties, including those duties authorized by the county governing body under
6 paragraph (8)(i)6 of this subsection.

7 (10) When a Sheriff or Sheriff's deputy has commenced an investigation
8 under paragraph (9)(iv) of this subsection, the Sheriff or the Sheriff's deputy:

9 (i) Shall immediately notify the appropriate law enforcement
10 agency that has jurisdiction over the matter; and

11 (ii) Shall transfer the investigation to an appropriate law
12 enforcement agency that has jurisdiction over the matter on request of the agency.

13 **Chapter 618 of the Acts of 2007**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2007. [It shall remain effective for a period 3 years and, at the end of
16 September 30, 2010, with no further action required by the General Assembly, this Act
17 shall be abrogated and of no further force and effect.]

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