

SENATE BILL 180

L2

9lr1365
CF HB 92

By: **Senator McFadden (By Request – Baltimore City Administration)**

Introduced and read first time: January 22, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Authority of Mayor to Remove Police Commissioner**

3 FOR the purpose of establishing that certain acts of the Mayor of Baltimore City do
4 not interfere with the powers of the Baltimore City Police Commissioner;
5 providing that the Police Commissioner is subject to removal at the pleasure of
6 the Mayor; and generally relating to the authority of the Mayor of Baltimore
7 City to remove the Baltimore City Police Commissioner.

8 BY repealing and reenacting, with amendments,
9 The Charter of Baltimore City
10 Article II – General Powers
11 Section (27)
12 (2007 Replacement Volume, as amended)

13 BY repealing and reenacting, with amendments,
14 The Public Local Laws of Baltimore City
15 Section 16–5(e)
16 Article 4 – Public Local Laws of Maryland
17 (1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

20 **The Charter of Baltimore City**

21 Article II – General Powers

22 The Mayor and City Council of Baltimore shall have full power and authority to
23 exercise all of the powers heretofore or hereafter granted to it by the Constitution of
24 Maryland or by any Public General or Public Local Laws of the State of Maryland; and
25 in particular, without limitation upon the foregoing, shall have power by ordinance, or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 such other method as may be provided for in its Charter, subject to the provisions of
2 said Constitution and Public General Laws:

3 (27)

4 To have and exercise within the limits of Baltimore City all the power
5 commonly known as the Police Power to the same extent as the State has or could
6 exercise [said] **THAT** power within [said] **THE** limits **OF BALTIMORE CITY**; provided,
7 however, that no ordinance of the City or act of any municipal officer, **OTHER THAN**
8 **AN ACT OF THE MAYOR PURSUANT TO ARTICLE IV OF THIS CHARTER**, shall
9 conflict, impede, obstruct, hinder or interfere with the powers of the Police
10 Commissioner.

11 **Article 4 – Baltimore City**

12 16–5.

13 (e) The Police Commissioner is subject to removal [by] **AT THE PLEASURE**
14 **OF** the Mayor [for official misconduct, malfeasance, inefficiency or incompetency,
15 including prolonged illness, in the manner provided by law in the case of civil officers],
16 **AS PROVIDED IN SECTION 6(C) OF ARTICLE IV OF THE CHARTER OF**
17 **BALTIMORE CITY.**

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