

# HOUSE BILL 394

F1, E4

3lr1199

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By: **Delegates McDermott, Cluster, Haddaway–Ricchio, Hough, K. Kelly, McComas, and Parrott**

Introduced and read first time: January 25, 2013

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Primary and Secondary Schools – Electronic Control Devices**

3 FOR the purpose of authorizing a principal of a primary or secondary school to  
4 designate one or more safety officers and make one or more electronic control  
5 devices available for use by certain safety officers in the school; requiring the  
6 Maryland Police and Correctional Training Commissions and the State  
7 Department of Education to develop and administer a certain training program  
8 for certain safety officers, establish standards for the use of an electronic control  
9 device by a safety officer, and establish criteria for designating safety officers;  
10 specifying that a safety officer must satisfactorily complete certain training  
11 before using or carrying an electronic control device in a school; requiring each  
12 school to submit promptly certain information to the school's county board  
13 under certain circumstances; defining certain terms; and generally relating to  
14 electronic control devices in schools.

15 BY adding to

16 Article – Education

17 Section 7–435

18 Annotated Code of Maryland

19 (2008 Replacement Volume and 2012 Supplement)

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

22 **Article – Education**

23 **7–435.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
2 **MEANINGS INDICATED.**

3           **(2) “ELECTRONIC CONTROL DEVICE” MEANS A PORTABLE DEVICE**  
4 **DESIGNED AS A WEAPON CAPABLE OF INJURING, IMMOBILIZING, OR INFLICTING**  
5 **PAIN ON AN INDIVIDUAL BY THE DISCHARGE OF ELECTRICAL CURRENT.**

6           **(3) “SAFETY OFFICER” MEANS A SCHOOL PRINCIPAL, SCHOOL**  
7 **ADMINISTRATOR, LAW ENFORCEMENT OFFICER, TEACHER, COUNSELOR, OR**  
8 **OTHER INDIVIDUAL WHO IS DESIGNATED BY A SCHOOL PRINCIPAL TO CARRY**  
9 **AND USE AN ELECTRONIC CONTROL DEVICE TO HELP MAINTAIN THE SECURITY**  
10 **AND SAFETY OF A SCHOOL.**

11           **(B) THE PRINCIPAL OF A PRIMARY OR SECONDARY SCHOOL MAY:**

12           **(1) DESIGNATE ONE OR MORE SAFETY OFFICERS; AND**

13           **(2) MAKE ONE OR MORE ELECTRONIC CONTROL DEVICES**  
14 **AVAILABLE FOR USE BY TRAINED SAFETY OFFICERS IN THE SCHOOL.**

15           **(C) THE MARYLAND POLICE AND CORRECTIONAL TRAINING**  
16 **COMMISSIONS, IN COLLABORATION WITH THE DEPARTMENT, SHALL:**

17           **(1) DEVELOP AND ADMINISTER AN ELECTRONIC CONTROL**  
18 **DEVICE TRAINING PROGRAM FOR SAFETY OFFICERS THAT IS COMMENSURATE**  
19 **WITH THE ELECTRONIC CONTROL DEVICE TRAINING RECEIVED BY LAW**  
20 **ENFORCEMENT OFFICERS;**

21           **(2) ESTABLISH STANDARDS FOR THE USE OF AN ELECTRONIC**  
22 **CONTROL DEVICE BY A SAFETY OFFICER; AND**

23           **(3) ESTABLISH CRITERIA FOR THE DESIGNATION OF AN**  
24 **INDIVIDUAL AS A SAFETY OFFICER.**

25           **(D) A SAFETY OFFICER MUST SATISFACTORILY COMPLETE THE**  
26 **TRAINING DEVELOPED AND ADMINISTERED UNDER SUBSECTION (C) OF THIS**  
27 **SECTION BEFORE USING OR CARRYING AN ELECTRONIC CONTROL DEVICE IN A**  
28 **SCHOOL.**

29           **(E) EACH SCHOOL SHALL PROMPTLY SUBMIT TO THE SCHOOL’S**  
30 **COUNTY BOARD:**

31           **(1) THE NAME OF EACH TRAINED SAFETY OFFICER; AND**

1           **(2) A REPORT EACH TIME A SAFETY OFFICER DISCHARGES AN**  
2 **ELECTRONIC CONTROL DEVICE THAT INCLUDES THE FOLLOWING**  
3 **INFORMATION:**

4                   **(I) THE DATE, TIME, AND LOCATION OF THE DISCHARGE;**

5                   **(II) THE TYPE OF MODE USED AND THE POINT OF IMPACT;**

6                   **(III) THE NUMBER OF CYCLES, THE DURATION OF EACH**  
7 **CYCLE, AND THE DURATION BETWEEN CYCLES;**

8                   **(IV) THE SAFETY OFFICER'S REASON FOR DISCHARGING THE**  
9 **ELECTRONIC CONTROL DEVICE;**

10                   **(V) A DESCRIPTION OF THE INCIDENT LEADING TO THE**  
11 **DISCHARGE OF THE ELECTRONIC CONTROL DEVICE;**

12                   **(VI) ANY INJURIES OR DEATHS RESULTING FROM THE**  
13 **DISCHARGE OF THE ELECTRONIC CONTROL DEVICE; AND**

14                   **(VII) THE TYPE OF MEDICAL CARE, IF ANY, PROVIDED TO THE**  
15 **PERSON AGAINST WHOM THE ELECTRONIC CONTROL DEVICE WAS DISCHARGED.**

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2013.