

HOUSE BILL 958

E4

3lr1520
CF SB 685

By: **Delegate Barnes**

Introduced and read first time: February 7, 2013

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2013

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Law Enforcement Officers’ Bill of Rights – Washington**
3 **Metropolitan Area Transit Authority Metro Transit Police**

4 FOR the purpose of altering a certain definition to make certain provisions of law
5 relating to the rights of law enforcement officers applicable to a law
6 enforcement officer who is a member of the Washington Metropolitan Area
7 Transit Authority Metro Transit Police; making conforming changes; making
8 this Act subject to a certain contingency; and generally relating to the
9 Washington Metropolitan Area Transit Authority Metro Transit Police and the
10 Law Enforcement Officers’ Bill of Rights.

11 BY repealing and reenacting, with amendments,
12 Article – Criminal Law
13 Section 3–201(c)
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2012 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Public Safety
18 Section 3–101(e)(1)(ii)24. and 25.
19 Annotated Code of Maryland
20 (2011 Replacement Volume and 2012 Supplement)

21 BY adding to
22 Article – Public Safety

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 Section 3–101(e)(1)(ii)26.
2 Annotated Code of Maryland
3 (2011 Replacement Volume and 2012 Supplement)

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

6 **Article – Criminal Law**

7 3–201.

8 (c) (1) “Law enforcement officer” has the meaning stated in § 3–101(e)(1)
9 of the Public Safety Article without application of § 3–101(e)(2).

10 (2) “Law enforcement officer” includes[:

11 (i)] a correctional officer at a correctional facility[: and

12 (ii) an officer employed by the WMATA Metro Transit Police,
13 subject to the jurisdictional limitations under Article XVI, § 76 of the Washington
14 Metropolitan Area Transit Authority Compact, which is codified in § 10–204 of the
15 Transportation Article].

16 **Article – Public Safety**

17 3–101.

18 (e) (1) “Law enforcement officer” means an individual who:

19 (ii) is a member of one of the following law enforcement
20 agencies:

21 24. the Internal Investigation Unit of the Department of
22 Public Safety and Correctional Services; [or]

23 25. the Warrant Apprehension Unit of the Division of
24 Parole and Probation in the Department of Public Safety and Correctional Services;
25 **OR**

26 **26. THE WASHINGTON METROPOLITAN AREA**
27 **TRANSIT AUTHORITY (WMATA) METRO TRANSIT POLICE, SUBJECT TO THE**
28 **JURISDICTIONAL LIMITATIONS UNDER ARTICLE XVI, § 76 OF THE WASHINGTON**
29 **METROPOLITAN AREA TRANSIT AUTHORITY COMPACT, WHICH IS CODIFIED IN**
30 **§ 10–204 OF THE TRANSPORTATION ARTICLE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That Section 1 of this Act may
2 not take effect until similar Acts are passed by the Commonwealth of Virginia and the
3 District of Columbia; that the Commonwealth of Virginia and the District of Columbia
4 are requested to concur in this Act of the General Assembly of Maryland by the
5 enactment of substantially similar Acts; that the Department of Legislative Services
6 shall notify the appropriate officials of the Commonwealth of Virginia, the District of
7 Columbia, and the United States Congress of the enactment of this Act; and that upon
8 the concurrence in this Act by the Commonwealth of Virginia, the District of
9 Columbia, and the United States, the Governor of the State of Maryland shall issue a
10 proclamation declaring this Act valid and effective and shall forward a copy of the
11 proclamation to the Executive Director of the Department of Legislative Services.

12 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of
13 this Act, this Act shall take effect October 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.