

# HOUSE BILL 1145

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CF 9lr3238

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By: **Delegates J. Lewis, D.M. Davis, W. Fisher, Harrison, Ivey, Jackson, and Washington**

Introduced and read first time: February 8, 2019

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Special Police Officers – Requirements**

3 FOR the purpose of requiring the Maryland Police Training and Standards Commission to  
4 develop and establish a certain training curriculum for special police officers;  
5 requiring the Secretary of State Police to require a special police officer to complete  
6 a certain training curriculum before the issuance or renewal of a certain commission;  
7 requiring a certain entity to pay the cost for completion of a certain training  
8 curriculum; providing that a certain entity is entitled to recover a certain amount of  
9 money from a certain individual; requiring a certain special police officer to carry  
10 certain equipment under certain circumstances; defining certain terms; and  
11 generally relating to requirements for special police officers.

12 BY repealing and reenacting, without amendments,

13 Article – Public Safety  
14 Section 3–201(a) and 3–301(a) and (e)  
15 Annotated Code of Maryland  
16 (2018 Replacement Volume)

17 BY repealing and reenacting, with amendments,

18 Article – Public Safety  
19 Section 3–201(g), 3–207(a)(23) and (24), 3–303, and 3–310  
20 Annotated Code of Maryland  
21 (2018 Replacement Volume)

22 BY adding to

23 Article – Public Safety  
24 Section 3–201(g) and 3–207(a)(25)  
25 Annotated Code of Maryland  
26 (2018 Replacement Volume)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Public Safety**

4 3–201.

5 (a) In this subtitle the following words have the meanings indicated.

6 **(G) “SPECIAL POLICE OFFICER” HAS THE MEANING STATED IN § 3–301 OF**  
7 **THIS TITLE.**

8 **[(g)] (H) “SWAT team” means an agency–designated unit of law enforcement**  
9 **officers who are selected, trained, and equipped to work as a coordinated team to resolve**  
10 **critical incidents that are so hazardous, complex, or unusual that they may exceed the**  
11 **capabilities of first responders or investigative units.**

12 3–207.

13 (a) The Commission has the following powers and duties:

14 (23) to perform any other act, including adopting regulations, that is  
15 necessary or appropriate to carry out the powers and duties of the Commission under this  
16 subtitle; [and]

17 (24) to consult and cooperate with commanders of SWAT teams to develop  
18 standards for training and deployment of SWAT teams and of law enforcement officers who  
19 are not members of a SWAT team who conduct no–knock warrant service in the State based  
20 on best practices in the State and nationwide; AND

21 **(25) TO DEVELOP AND ESTABLISH A TRAINING CURRICULUM FOR**  
22 **SPECIAL POLICE OFFICERS CONSISTING OF AT LEAST 90 DAYS OF INSTRUCTION FOR**  
23 **ENTRANCE–LEVEL TRAINING AND 40 HOURS OF INSTRUCTION FOR ANNUAL**  
24 **IN–SERVICE LEVEL TRAINING THAT ADDRESSES:**

25 **(I) FIREARMS QUALIFICATION CERTIFICATION;**

26 **(II) LIFESAVING TECHNIQUES, INCLUDING CARDIOPULMONARY**  
27 **RESUSCITATION (CPR);**

28 **(III) POLICE TACTICS, INCLUDING THE PROPER USE OF FORCE,**  
29 **CRISIS INTERVENTION, CONFLICT MANAGEMENT, AND PROTECTIVE STRATEGIES;**

30 **(IV) CONSTITUTIONAL ISSUES AND CONSIDERATIONS IN**  
31 **POLICING, INCLUDING THOSE RELATING TO THE SEARCH AND SEIZURE OF PERSONS**

1 AND PROPERTY;

2 (V) ORGANIZATIONAL PRINCIPLES AND LAW;

3 (VI) PATROL TACTICS;

4 (VII) REPORT WRITING AND COMPOSITION;

5 (VIII) CRIME PREVENTION;

6 (IX) CRISIS INTERVENTION;

7 (X) PROTECTIVE STRATEGIES AND TACTICS;

8 (XI) PRISONER PROCESSING AND SECURITY;

9 (XII) PROVIDING TESTIMONY IN COURT PROCEEDINGS;

10 (XIII) HEALTH AND WELLNESS;

11 (XIV) HUMAN RELATIONS AND BEHAVIORS;

12 (XV) STRESS MANAGEMENT;

13 (XVI) CONFLICT MANAGEMENT;

14 (XVII) DIVERSITY AND CULTURAL AWARENESS;

15 (XVIII) TERRORISM AND WEAPONS OF MASS DESTRUCTION;

16 (XIX) USE OF NONLETHAL FORCE; AND

17 (XX) DRUG AND ALCOHOL FIELD TESTING.

18 3-301.

19 (a) In this subtitle the following words have the meanings indicated.

20 (e) "Special police officer" means an individual who holds a commission issued  
21 under this subtitle.

22 3-303.

23 (a) The following entities may apply for the appointment of special police officers

1 for the following purposes:

2 (1) a municipal corporation, county, or other governmental body of the  
3 State, in order to protect property owned, leased, or regularly used by the governmental  
4 body or any of its units;

5 (2) another state, or subdivision or unit of another state, that has an  
6 interest in property located wholly or partly in this State, in order to protect the property;

7 (3) a college, university, or public school system in the State, in order to  
8 protect its property or students; or

9 (4) a person that exists and functions for a legal business purpose, in order  
10 to protect its business property.

11 (b) The applicant for a commission shall be at least 18 years old.

12 (c) **(1) The Secretary [may require training and education for special police**  
13 **officers as the Secretary considers necessary] SHALL REQUIRE A SPECIAL POLICE**  
14 **OFFICER TO COMPLETE THE TRAINING CURRICULUM FOR SPECIAL POLICE**  
15 **OFFICERS ESTABLISHED BY THE MARYLAND POLICE TRAINING AND STANDARDS**  
16 **COMMISSION BEFORE THE ISSUANCE OR RENEWAL OF A COMMISSION UNDER THIS**  
17 **SUBTITLE.**

18 **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**  
19 **COST FOR COMPLETING THE REQUIRED TRAINING CURRICULUM UNDER THIS**  
20 **SUBSECTION SHALL BE PAID FOR BY THE ENTITY THAT APPLIED FOR THE**  
21 **APPOINTMENT OF THE SPECIAL POLICE OFFICER.**

22 **(II) THE ENTITY THAT APPLIED FOR THE APPOINTMENT OF THE**  
23 **SPECIAL POLICE OFFICER IS ENTITLED TO RECOVER FROM THE SPECIAL POLICE**  
24 **OFFICER THE AMOUNT OF MONEY PAID BY THE ENTITY UNDER SUBPARAGRAPH (I)**  
25 **OF THIS PARAGRAPH.**

26 3-310.

27 (a) (1) Unless a special police officer is on detective duty, the special police  
28 officer shall wear:

29 (i) a uniform that is distinguishable from ordinary civilian clothing  
30 and that gives notice that the special police officer is a special police officer; and

31 (ii) a distinctive police badge that properly identifies the officer as a  
32 special police officer.

33 (2) The badge shall be worn in plain view.

1 (3) The uniform, badge, vehicle, equipment, and identification are subject  
2 to approval by the Department of State Police.

3 (b) Each special police officer on detective duty shall carry:

4 (1) identification that properly identifies the special police officer as a  
5 special police officer; and

6 (2) the distinctive police badge described in subsection (a) of this section.

7 (c) **(1) IN THIS SUBSECTION, "ELECTRONIC CONTROL DEVICE" HAS THE**  
8 **MEANING STATED IN § 4-109 OF THE CRIMINAL LAW ARTICLE.**

9 **(2) IF A SPECIAL POLICE OFFICER IS APPROVED BY THE SECRETARY**  
10 **TO CARRY A FIREARM AND DOES CARRY A FIREARM WITHIN THE SCOPE OF THE**  
11 **SPECIAL POLICE OFFICER'S OFFICIAL DUTIES, THE SPECIAL POLICE OFFICER ON**  
12 **DUTY SHALL CARRY:**

13 **(I) PEPPER SPRAY;**

14 **(II) A BATON; OR**

15 **(III) AN ELECTRONIC CONTROL DEVICE.**

16 **(D) (1)** A special police officer shall surrender to the special police officer's  
17 employer any identification or badge that identifies the individual as a special police officer  
18 within 48 hours after the suspension or termination of:

19 (i) the employment of the special police officer; or

20 (ii) the commission of the special police officer in accordance with §  
21 3-313 of this subtitle.

22 (2) The special police officer's employer shall return the special police  
23 commission card to the Secretary within 10 days after the suspension or termination of a  
24 special police officer.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2019.