

SENATE BILL 847

E4

9lr3102
CF HB 625

By: **Senators Ferguson, Hayes, ~~and Nathan Pulliam~~ Nathan Pulliam, Carter, and Washington**

Introduced and read first time: February 4, 2019

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 2019

CHAPTER _____

1 AN ACT concerning

2 **Baltimore Police Department – Commission to Restore Trust in Policing –**
3 **~~Extension and Funding Alterations~~**

4 FOR the purpose of altering a certain requirement regarding the confidentiality of certain
5 proceedings, testimony, and other evidence; prohibiting certain members and staff
6 of the Commission to Restore Trust in Policing from being required to sign a certain
7 confidentiality agreement; altering the due date for a certain report that the
8 Commission to Restore Trust in Policing is required to submit to the Governor and
9 the General Assembly; altering the termination date for the Commission to Restore
10 Trust in Policing; requesting and encouraging the Governor to appropriate certain
11 funds for certain fiscal years for a certain purpose; and generally relating to the
12 Commission to Restore Trust in Policing.

13 BY repealing and reenacting, with amendments,
14 The Charter of Baltimore City
15 Article II – General Powers
16 Section ~~(71)(m)~~ (71)(h) and (m)
17 (2007 Replacement Volume, as amended)
18 (As enacted by Chapter 753 of the Acts of the General Assembly of 2018)

19 BY repealing and reenacting, with amendments,
20 Chapter 753 of the Acts of the General Assembly of 2018
21 Section 4

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

3 **The Charter of Baltimore City**

4 Article II – General Powers

5 The Mayor and City Council of Baltimore shall have full power and authority to
6 exercise all of the powers heretofore or hereafter granted to it by the Constitution of
7 Maryland or by any Public General or Public Local Laws of the State of Maryland; and in
8 particular, without limitation upon the foregoing, shall have power by ordinance, or such
9 other method as may be provided for in its Charter, subject to the provisions of said
10 Constitution and Public General Laws:

11 (71)

12 (h) (1) Except as provided [in paragraph (2) of this subsection] UNDER THE
13 PUBLIC INFORMATION ACT AND THE OPEN MEETINGS ACT, the proceedings,
14 testimony, and any other evidence before the Commission are public information.

15 (2) [On a vote of five or more members of the Commission, proceedings,
16 testimony, and any other evidence before the Commission that are protected from
17 disclosure under the Public Information Act may be deemed confidential and privileged]
18 MEMBERS OF THE COMMISSION AND STAFF TO THE COMMISSION MAY NOT BE
19 REQUIRED TO SIGN A CONFIDENTIALITY AGREEMENT TO RECEIVE DOCUMENTS OR
20 FILES, INCLUDING PERSONNEL FILES, PROPERLY SUBPOENAED IN ACCORDANCE
21 WITH THIS SECTION.

22 (m) On or before December 31, [2019] **2020**, the Commission shall submit a final
23 report of its findings, conclusions, and recommendations to the Governor and, in accordance
24 with § 2–1246 of the State Government Article, the General Assembly.

25 **Chapter 753 of the Acts of 2018**

26 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency
27 measure, is necessary for the immediate preservation of the public health or safety, has
28 been passed by a yea and nay vote supported by three–fifths of all the members elected to
29 each of the two Houses of the General Assembly, and, except as provided in Section 3 of
30 this Act, shall take effect from the date it is enacted. Section 1 of this Act shall remain
31 effective for a period of [1 year] **2 YEARS** and 8 months and, at the end of [1 year] **2 YEARS**
32 and 8 months from the date of enactment, Section 1 of this Act, with no further action
33 required by the General Assembly, shall be abrogated and of no further force and effect.

34 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor is requested and
35 encouraged to appropriate sufficient funds for fiscal year 2020 and fiscal year 2021 to

1 enable the Commission to Restore Trust in Policing to complete its work in a timely and
2 comprehensive manner.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.