

SENATE BILL 853

E4
SB 344/18 – JPR

9lr0683
CF HB 433

By: **Senators Kagan, Augustine, Benson, Eckardt, Edwards, Elfreth, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hayes, Kelley, King, Klausmeier, Kramer, Lam, Lee, McCray, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Reilly, Rosapepe, Salling, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker**

Introduced and read first time: February 4, 2019
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 15, 2019

CHAPTER _____

1 AN ACT concerning

2 **Maryland Police Training and Standards Commission – Police Officer**
3 **Certification – Eligibility**
4 **(Freedom to Serve Act)**

5 FOR the purpose of altering the eligibility requirements for an individual to be certified by
6 the Maryland Police Training and Standards Commission as a police officer to
7 require an individual to be either a United States citizen or a certain permanent
8 legal resident of the United States who is an honorably discharged veteran of the
9 United States armed forces; providing for the termination of a certification under
10 certain circumstances; and generally relating to police officer certification.

11 BY repealing and reenacting, with amendments,
12 Article – Public Safety
13 Section 3–209
14 Annotated Code of Maryland
15 (2018 Replacement Volume)

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

18 **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 3-209.

2 (a) The Commission shall certify as a police officer each individual who:

3 (1) (i) satisfactorily meets the standards of the Commission; or

4 (ii) provides the Commission with sufficient evidence that the
5 individual has satisfactorily completed a training program in another state of equal quality
6 and content as required by the Commission;

7 (2) submits to a psychological evaluation; [and]

8 (3) submits to a criminal history records check in accordance with §
9 3-209.1 of this subtitle; AND

10 (4) (I) IS A UNITED STATES CITIZEN; OR

11 ~~(II) IS A PERMANENT LEGAL RESIDENT OF THE UNITED STATES~~
12 ~~AND AN HONORABLY DISCHARGED VETERAN OF THE UNITED STATES ARMED~~
13 ~~FORCES, PROVIDED THAT THE INDIVIDUAL HAS APPLIED TO OBTAIN OR AFFIRMS AN~~
14 ~~INTENT TO OBTAIN UNITED STATES CITIZENSHIP WITHIN 10 YEARS OF THE~~
15 ~~EMPLOYMENT START DATE WITH THE LAW ENFORCEMENT AGENCY.~~

16 (II) SUBJECT TO SUBSECTION (B) OF THIS SECTION, IS A
17 PERMANENT LEGAL RESIDENT OF THE UNITED STATES AND AN HONORABLY
18 DISCHARGED VETERAN OF THE UNITED STATES ARMED FORCES, PROVIDED THAT
19 THE INDIVIDUAL HAS APPLIED TO OBTAIN UNITED STATES CITIZENSHIP AND THE
20 APPLICATION IS STILL PENDING APPROVAL.

21 ~~(B)~~ **(B) THE CERTIFICATION OF A POLICE OFFICER WHO FAILS TO OBTAIN**
22 ~~OR APPLY TO OBTAIN~~ **UNITED STATES CITIZENSHIP AS REQUIRED BY SUBSECTION**
23 **(A)(4)(II) OF THIS SECTION SHALL BE TERMINATED BY THE COMMISSION.**

24 [(b)] ~~(D)~~ **(C)** The Commission may certify as a police officer an individual who is not
25 considered a police officer under § 3-201(f)(3) of this subtitle if the individual meets the
26 selection and training standards of the Commission.

27 [(c)] ~~(E)~~ **(D)** Each certificate issued to a police officer under this subtitle remains the
28 property of the Commission.

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