

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

A BILL ENTITLED

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**

19 3–209.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

5 (3) submits to a criminal history records check in accordance with §
6 3–209.1 of this subtitle; AND

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

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

13 (C) THE CERTIFICATION OF A POLICE OFFICER WHO FAILS TO OBTAIN OR
14 APPLY TO OBTAIN UNITED STATES CITIZENSHIP AS REQUIRED BY SUBSECTION
15 (A)(4)(II) OF THIS SECTION SHALL BE TERMINATED BY THE COMMISSION.

16 [(b)] (D) The Commission may certify as a police officer an individual who is not
17 considered a police officer under § 3–201(f)(3) of this subtitle if the individual meets the
18 selection and training standards of the Commission.

19 [(c)] (E) Each certificate issued to a police officer under this subtitle remains the
20 property of the Commission.

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