

# HOUSE BILL 736

E4, P4

0lr1500  
CF 0lr2131

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By: **Delegates Brooks, Bagnall, D. Barnes, Carey, Charkoudian, Corderman, Haynes, Hettleman, C. Jackson, R. Lewis, McComas, Metzgar, Proctor, Qi, Valderrama, and P. Young**

Introduced and read first time: January 30, 2020

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Police Officers – Mental Health – Employee Assistance Programs**

3 FOR the purpose of requiring each law enforcement agency to develop and implement a  
4 certain program to protect the mental health of police officers; establishing certain  
5 requirements for a certain program; requiring each law enforcement agency to  
6 develop standards for annual assessments of a certain program for a certain purpose;  
7 defining certain terms; and generally relating to the mental health of police officers.

8 BY adding to

9 Article – Public Safety

10 Section 3–522

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2019 Supplement)

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

15 **Article – Public Safety**

16 **3–522.**

17 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
18 **INDICATED.**

19 **(2) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN §**  
20 **3–201 OF THIS TITLE.**

21 **(3) “POLICE OFFICER” HAS THE MEANING STATED IN § 3–201 OF THIS**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 TITLE.

2 (B) EACH LAW ENFORCEMENT AGENCY SHALL DEVELOP AND IMPLEMENT  
3 AN EMPLOYEE ASSISTANCE PROGRAM FOR ALL POLICE OFFICERS THAT THE LAW  
4 ENFORCEMENT AGENCY EMPLOYS.

5 (C) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION  
6 SHALL PROVIDE POLICE OFFICERS ACCESS TO CONFIDENTIAL LOW- OR NO-COST  
7 MENTAL HEALTH SERVICES, INCLUDING:

8 (1) COUNSELING SERVICES;

9 (2) CRISIS COUNSELING;

10 (3) STRESS MANAGEMENT COUNSELING;

11 (4) MENTAL HEALTH EVALUATIONS; AND

12 (5) PEER SUPPORT SERVICES FOR POLICE OFFICERS.

13 (D) AS PART OF THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS  
14 SECTION, EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE TO ALL POLICE  
15 OFFICERS THE AGENCY EMPLOYS A VOLUNTARY MENTAL HEALTH EVALUATION  
16 BEFORE THE POLICE OFFICER RETURNS TO FULL DUTY FOLLOWING ANY INCIDENT  
17 INVOLVING:

18 (1) A SERIOUS INJURY TO THE POLICE OFFICER;

19 (2) AN OFFICER-INVOLVED SHOOTING;

20 (3) AN ACCIDENT RESULTING IN A FATALITY; OR

21 (4) ANY USE OF FORCE RESULTING IN A FATALITY OR SERIOUS  
22 INJURY.

23 (E) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION  
24 SHALL INCLUDE A COMPONENT DESIGNED TO PROTECT THE MENTAL HEALTH OF  
25 POLICE OFFICERS DURING PERIODS OF PUBLIC DEMONSTRATIONS AND UNREST.

26 (F) EACH LAW ENFORCEMENT AGENCY SHALL DEVELOP STANDARDS FOR  
27 ANNUAL ASSESSMENTS OF THE AGENCY'S EMPLOYEE ASSISTANCE PROGRAM TO  
28 IDENTIFY DEFICIENCIES AND AREAS FOR IMPROVEMENT.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2020.