

HOUSE BILL 941

P1

0lr3618
CF SB 561

By: **Delegate M. Jackson**

Introduced and read first time: February 5, 2020

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of General Services – Jurisdiction and Maryland Capitol Police**

3 FOR the purpose of altering the jurisdiction of the Department of General Services to
4 include State–owned or State–leased buildings and grounds and certain surrounding
5 areas of those buildings and grounds; altering the jurisdiction of the Maryland
6 Capitol Police of the Department; requiring the Secretary of General Services to
7 appoint the Chief of the Maryland Capitol Police; providing that the Chief serves at
8 the pleasure of the Secretary; requiring the Chief to supervise and direct the affairs
9 and operations of the Maryland Capitol Police; repealing a certain provision of law
10 providing that a member of the Maryland Capitol Police has the same powers as a
11 sheriff or police officer only under certain circumstances; providing that a Maryland
12 Capitol Police officer has all the powers granted to a peace officer and a police officer
13 of the State; authorizing a Maryland Capitol Police officer to exercise certain powers
14 provided the police officer meets certain legal requirements and is designated by the
15 Department as a police officer; requiring the Secretary to appoint certain police
16 employees; requiring the Secretary to make certain appointments from a list of
17 eligible candidates in accordance with certain provisions of law; requiring that each
18 police employee remains in a probationary status for a certain period of time;
19 authorizing the Secretary to terminate the employment of a police employee in
20 probationary status for any reason that the Secretary considers sufficient; repealing
21 a certain provision of law providing that the Secretary has concurrent authority with
22 certain chiefs of police to enforce certain laws in certain areas; and generally relating
23 to the Department of General Services.

24 BY repealing and reenacting, with amendments,
25 Article – State Finance and Procurement
26 Section 4–601 and 4–605
27 Annotated Code of Maryland
28 (2015 Replacement Volume and 2019 Supplement)

29 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – State Finance and Procurement
 2 Section 4–605.1
 3 Annotated Code of Maryland
 4 (2015 Replacement Volume and 2019 Supplement)

5 BY repealing
 6 Article – State Finance and Procurement
 7 Section 4–606
 8 Annotated Code of Maryland
 9 (2015 Replacement Volume and 2019 Supplement)

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

12 **Article – State Finance and Procurement**

13 4–601.

14 The Department has jurisdiction over and full police authority for the enforcement
 15 of the criminal laws and the parking and motor vehicle laws as to the operation,
 16 maintenance, and protection of:

17 (1) buildings and grounds that, on June 30, 1984, were administered by the
 18 Office of Annapolis Public Buildings and Grounds, and extending to the surrounding area
 19 that encompasses 1,000 feet in any direction from the boundary of those buildings and
 20 grounds;

21 (2) buildings and grounds that, on June 30, 1984, were administered by the
 22 Office of Baltimore Public Buildings and Grounds, and extending to the surrounding area
 23 that encompasses 1,000 feet in any direction from the boundary of those buildings and
 24 grounds;

25 (3) multiservice centers designated by law or by the Board of Public Works
 26 and extending to the surrounding area that encompasses 1,000 feet in any direction from
 27 the boundary of those multiservice centers;

28 (4) buildings and grounds that, on June 30, 2019, were administered by the
 29 Maryland Department of Labor, and extending to the surrounding area that encompasses
 30 1,000 feet in any direction from the boundary of those buildings; [and]

31 **(5) STATE-OWNED OR STATE-LEASED BUILDINGS AND GROUNDS**
 32 **AND EXTENDING TO THE SURROUNDING AREA THAT ENCOMPASSES 1,000 FEET IN**
 33 **ANY DIRECTION FROM THE BOUNDARY OF THOSE BUILDINGS AND GROUNDS; AND**

34 **[(5)] (6)** other public improvements or grounds designated by law or by
 35 the Board of Public Works.

1 4-605.

2 (a) (1) In accordance with the provisions of the State Personnel and Pensions
3 Article, the Secretary may establish a police and security force, known as the Maryland
4 Capitol Police of the Department of General Services, to protect people and property on or
5 about improvements, grounds, and multiservice centers under the jurisdiction of the
6 Department, and in the surrounding areas of the buildings and grounds in the State as
7 described in [§ 4-601(1), (2), (3), and (4)] **§ 4-601** of this subtitle.

8 **(2) (I) THE SECRETARY SHALL APPOINT THE CHIEF OF THE**
9 **MARYLAND CAPITOL POLICE OF THE DEPARTMENT OF GENERAL SERVICES.**

10 **(II) THE CHIEF OF THE MARYLAND CAPITOL POLICE OF THE**
11 **DEPARTMENT OF GENERAL SERVICES SERVES AT THE PLEASURE OF THE**
12 **SECRETARY.**

13 **(III) THE CHIEF OF THE MARYLAND CAPITOL POLICE OF THE**
14 **DEPARTMENT OF GENERAL SERVICES SHALL SUPERVISE AND DIRECT THE AFFAIRS**
15 **AND OPERATIONS OF THE MARYLAND CAPITOL POLICE.**

16 **[(2)] (3)** The Maryland Capitol Police of the Department of General
17 Services may include sworn police officers.

18 (b) A member of the Maryland Capitol Police of the Department of General
19 Services may not be involuntarily transferred from a site to another site.

20 [(c) A member of the Maryland Capitol Police of the Department of General
21 Services has the same powers as a sheriff or police officer under § 2-101 of the Criminal
22 Procedure Article only if the member:

23 (1) meets the legal requirements set forth by the Maryland Police Training
24 and Standards Commission; and

25 (2) is designated by the Department as a police officer.]

26 **(C) SUBJECT TO SUBSECTION (D) OF THIS SECTION, A MARYLAND CAPITOL**
27 **POLICE OFFICER HAS ALL THE POWERS GRANTED TO A PEACE OFFICER AND A**
28 **POLICE OFFICER OF THE STATE.**

29 **(D) A MARYLAND CAPITOL POLICE OFFICER MAY EXERCISE THE POWERS**
30 **DESCRIBED IN SUBSECTION (C) OF THIS SECTION WITHIN THE DEPARTMENT'S**
31 **JURISDICTION AS SPECIFIED IN § 4-601 OF THIS SUBTITLE PROVIDED THE POLICE**
32 **OFFICER:**

1 **(1) MEETS THE LEGAL REQUIREMENTS SET FORTH BY THE**
2 **MARYLAND POLICE TRAINING AND STANDARDS COMMISSION; AND**

3 **(2) IS DESIGNATED BY THE DEPARTMENT AS A POLICE OFFICER.**

4 **4-605.1.**

5 **(A) (1) WITHIN THE LIMITS OF ANY APPROPRIATION MADE FOR THIS**
6 **PURPOSE AND AS THE SECRETARY DETERMINES NECESSARY, THE SECRETARY**
7 **SHALL APPOINT POLICE EMPLOYEES FOR THE EFFICIENT ADMINISTRATION OF THE**
8 **MARYLAND CAPITOL POLICE OF THE DEPARTMENT OF GENERAL SERVICES.**

9 **(2) THE SECRETARY SHALL MAKE EACH APPOINTMENT UNDER**
10 **PARAGRAPH (1) OF THIS SUBSECTION FROM A LIST OF ELIGIBLE CANDIDATES IN**
11 **ACCORDANCE WITH THE PROVISIONS OF THE STATE PERSONNEL AND PENSIONS**
12 **ARTICLE.**

13 **(B) (1) EACH POLICE EMPLOYEE, INCLUDING AN INDIVIDUAL WHO IS**
14 **APPOINTED TO THE MARYLAND CAPITOL POLICE FOR TRAINING BEFORE REGULAR**
15 **ASSIGNMENT AS A POLICE EMPLOYEE, SHALL REMAIN IN A PROBATIONARY STATUS**
16 **FOR A PERIOD OF 1 YEAR AFTER THE DATE OF APPOINTMENT TO THE MARYLAND**
17 **CAPITOL POLICE OF THE DEPARTMENT OF GENERAL SERVICES.**

18 **(2) THE SECRETARY MAY TERMINATE THE EMPLOYMENT OF A**
19 **POLICE EMPLOYEE IN PROBATIONARY STATUS FOR ANY REASON THAT THE**
20 **SECRETARY CONSIDERS SUFFICIENT.**

21 **[4-606.**

22 (a) In this section, "Chief of Police" means:

23 (1) as to improvements, grounds, and multiservice centers in the City of
24 Annapolis, the Chief of Police of the City of Annapolis;

25 (2) as to improvements, grounds, and multiservice centers in Baltimore
26 City, the Police Commissioner of Baltimore City; and

27 (3) as to improvements, grounds, and multiservice centers not located in
28 the City of Annapolis or Baltimore City, the head of the local police force of the county in
29 which the improvements, grounds, or multiservice centers are located.

30 (b) The Secretary has concurrent authority with the Chief of Police to enforce the
31 criminal laws and parking and motor vehicle laws on streets adjacent to all improvements,
32 grounds, and multiservice centers under the jurisdiction of the Department, and in the
33 surrounding areas of the buildings and grounds in Annapolis and Baltimore City as

1 described in § 4–601(1) and (2) of this subtitle.]

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