

HB0670/663420/1

BY: Senator Carter

AMENDMENTS TO HOUSE BILL 670, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (HB0670/663420/1), in line 19 of Amendment No. 1, before “authorizing” insert “requiring and”.

On page 4 of the bill, strike beginning with “prohibiting” in line 24 down through “bargaining” in line 26 and substitute “providing that a law enforcement agency or the agency’s superior governmental authority and a collective bargaining unit may not enter into a certain agreement”.

On page 5 of the bill, in line 33, after “period;” insert “requiring the Maryland Police Training and Standards Commission to adopt certain regulations;”.

On page 8 of the bill, in line 14, strike “3-113” and substitute “3-114”.

AMENDMENT NO. 2

On page 4 of the Judicial Proceedings Committee Amendments, in line 1 of Amendment No. 3, strike “WHEN NOT IN UNIFORM,”.

On page 8 of the Judicial Proceedings Committee Amendments, in Amendment No. 14, strike beginning with “DESIGNEE” in line 18 down through “COUNTY” in line 21 and substitute “CIVILIAN SELECTED BY THE COUNTY’S POLICE CHIEF WITH NO CURRENT AFFILIATION WITH THE CHIEF OR LAW ENFORCEMENT”.

On page 9 of the Judicial Proceedings Committee Amendments, in lines 11 and 12 of Amendment No. 14, strike “MEMBER APPOINTED BY THE MARYLAND STATE LODGE OF THE FRATERNAL ORDER OF POLICE.” and substitute “CIVILIAN”.

(Over)

MEMBER APPOINTED BY THE SECRETARY OF STATE POLICE WITH NO CURRENT AFFILIATION WITH THE SECRETARY OR LAW ENFORCEMENT.

On page 12 of the Judicial Proceedings Committee Amendments, in line 4 of Amendment No. 14, strike "SHALL"; in the same line, strike "MAY"; in lines 4 and 5, strike "RECEIVES A PROBATION BEFORE JUDGMENT FOR"; and in line 7, strike "OR CIVIL".

On page 37 of the bill, in line 18, after "(C)" insert "(1)"; in line 19, after "OF" insert "A FELONY.

(2) THE CHIEF MAY TERMINATE THE EMPLOYMENT OF A POLICE OFFICER WHO:

(1);

in the same line, strike the colon; in line 20, strike "(1)"; in the same line, after "FELONY;" insert "OR"; in line 21, strike "(2)" and substitute "(II)"; in the same line, strike "A" and substitute "IS CONVICTED OF

1. A;

and in line 23, strike "(3)" and substitute "2.".

On page 40 of the bill, strike in their entirety lines 21 and 22 and substitute:

"A LAW ENFORCEMENT AGENCY OR THE AGENCY'S SUPERIOR GOVERNING AUTHORITY AND A COLLECTIVE BARGAINING UNIT MAY NOT ENTER INTO AN AGREEMENT THAT:

(1) IS INCONSISTENT WITH THE PROVISIONS OF THIS SUBTITLE;

OR

(2) RELATES TO:

(I) DISCIPLINE OF LAW ENFORCEMENT OFFICERS; OR

(II) THE INVESTIGATION, INTERROGATION, POLYGRAPHING, OR DRUG AND ALCOHOL TESTING OF A LAW ENFORCEMENT OFFICER BY A LAW ENFORCEMENT AGENCY IN ASSOCIATION WITH A DISCIPLINARY PROCEEDING.”

On pages 12 and 13 of the Judicial Proceedings Committee Amendments, strike beginning with “**(A)**” in line 18 on page 12 down through “**SECTION.**” in line 14 on page 13 and substitute:

“A RECORD RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER, INCLUDING AN INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS RELATING TO A DISCIPLINARY DECISION, MAY NOT BE:

(1) EXPUNGED; OR

(2) DESTROYED BY A LAW ENFORCEMENT AGENCY.”

On page 14 of the Judicial Proceedings Committee Amendments, in line 4 of Amendment No. 14, after “**CITIZEN.**” insert:

“3-114.

(Over)

**THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL
ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.**

On page 45 of the bill, in line 6, strike “ANNUALLY”; in the same line, after “ASSESSMENT” insert “EVERY TWO YEARS”; and in the same line, strike the second “A” and substitute “AN ANNUAL”.