

HB0670/992612/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 670

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 3 down through “law;” in line 6 and substitute “requiring that an application for a certain search warrant be approved in writing by a police supervisor and the State’s Attorney;”; in line 9, after “circumstances;” insert “requiring that an application for a certain search warrant contain certain items; altering the number of days within which a certain search and seizure shall be made;”; in line 10, after “circumstances;” insert “imposing certain restrictions on a police officer when executing a search warrant; requiring a police officer to take a certain action and provide certain information to certain individuals at the commencement of a certain stop, with a certain exception; prohibiting a police officer from prohibiting or preventing a citizen from recording the police officer’s actions if the citizen is otherwise acting lawfully;”; strike beginning with “providing” in line 11 down through “circumstances;” in line 14 and substitute “establishing the Maryland Loan Assistance Repayment Program for Police Officers; requiring the Office of Student Financial Assistance in the Maryland Higher Education Commission to assist in the repayment of certain loans owed by certain eligible individuals; requiring the Office to adopt certain regulations; specifying that funds for the Program shall be provided in the State budget; requiring the Office to submit a certain report to the General Assembly on or before a certain date; establishing the Maryland Police Officers Scholarship Program; providing for the purpose of the Maryland Police Officers Scholarship; requiring the Office to publicize the availability of the Maryland Police Officers Scholarship; establishing the eligibility of the Maryland Police Officers Scholarship; requiring a certain recipient to repay the Commission under certain circumstances; establishing the amount of the annual scholarship award; requiring the Governor to include a certain appropriation in the State budget for the Maryland Police Officers Scholarship; requiring the Commission to use a certain appropriation for a certain purpose; requiring the Office to publicize the availability of the Maryland Police Officers

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Scholarship; requiring the Commission to submit a certain report on or before a certain date; altering the limits on liability of a local government and the State and its units for claims arising from tortious acts or omissions committed by a law enforcement officer; requiring the State Public Information Act Compliance Board to receive, review, and resolve certain complaints filed from a certain custodian, issue a certain decision, and issue a certain order under certain circumstances; requiring a certain custodian to allow inspection of certain records by the United States Attorney, the Attorney General, the State Prosecutor, and a State's Attorney; providing that a certain record is not a personnel record for a certain purpose, with a certain exception; authorizing a certain custodian to deny inspection of certain records; requiring a certain custodian to deny inspection of a certain record under certain circumstances; requiring a custodian to notify a certain person in interest when a certain record is inspected; prohibiting a certain custodian from disclosing the identity of a certain requestor to a certain person in interest;"; in line 16, strike "citizens" and substitute "individuals"; and in line 17, after "certain" insert "administrative".

On page 2, in line 23, after "date;" insert "requiring that a certain body-worn camera automatically record and save certain video footage; requiring each law enforcement agency to post in a certain location an explanation of certain procedures;"; in line 27, after "system;" insert "establishing the Independent Investigative Agency as an independent unit of State government for a certain purpose; authorizing the Independent Investigative Agency to employ certain police officers and civilians for a certain purpose;"; strike beginning with "providing" in line 34 down through "force" in line 35 and substitute "establishing certain use of force standards"; and strike beginning with "providing" in line 44 down through "purpose;" in line 45.

On pages 2 and 3, strike beginning with "prohibiting" in line 47 on page 2 down through "restraint;" in line 2 on page 3.

On page 3, in line 3, strike "acquiring a certain armored or weaponized vehicle" and substitute "receiving certain equipment from a surplus program"; in line 17, strike "of a" and substitute "and policies established in accordance with"; strike beginning with

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“prohibiting” in line 4 down through “Act;” in line 6 and substitute “authorizing a person to file a certain civil action for a certain use of force; requiring each law enforcement agency to develop and implement a certain program to protect the mental health of police officers; establishing certain requirements for a certain program; requiring each law enforcement agency to develop a policy to minimize certain costs to police officers;”;
strike beginning with “requiring” in line 12 down through “training;” in line 16; in line 18, strike “provision” and substitute “provisions”;
strike beginning with “providing” in line 18 down through “Act;” in line 25 and substitute “requiring each county to have a police accountability board to take certain actions; providing for the membership of a police accountability board; establishing requirements for a certain complaint filed with a police accountability board; authorizing an individual to file a certain complaint with a certain law enforcement agency; establishing requirements for a certain complaint; requiring each county to have a certain administrative charging committee; providing for the membership of certain administrative charging committees; requiring that there be at least one statewide administrative charging committee applicable to certain law enforcement agencies; requiring an individual to receive certain training prior to serving as a member of an administrative charging committee; requiring a certain law enforcement agency to forward certain investigatory files to a certain administrative charging committee at a certain time; requiring and authorizing an administrative charging committee to take certain actions at certain times; requiring an administrative charging committee to meet at certain times; requiring a member of an administrative charging committee to maintain confidentiality relating to a certain matter at a certain time; requiring the Maryland Police Training and Standards Commission to develop and adopt, by regulation, a certain disciplinary matrix for a certain purpose; requiring each law enforcement agency to adopt a certain disciplinary matrix; requiring a certain chief to offer certain discipline to a certain police officer at a certain time; requiring certain discipline to be imposed under certain circumstances; requiring a certain matter to be referred to a trial board under certain circumstances; requiring each law enforcement agency to establish a certain trial board process; authorizing a small law enforcement agency to use the trial board process of another law enforcement agency under certain circumstances; providing for the membership of a trial board; requiring an individual to receive certain training prior to serving as a member of a trial board;

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requiring that proceedings of a trial board be open to the public, with certain exceptions; authorizing a trial board to administer oaths and issue subpoenas under certain circumstances; providing that a complainant has the right to be notified of and attend a certain hearing, with certain exceptions; providing for the appeal of a trial board decision; providing that a trial board decision that is not appealed is final; authorizing and requiring a certain chief to impose a certain emergency suspension under certain circumstances; requiring a certain chief to terminate the employment of a certain police officer; providing that a certain police officer is entitled to receive back pay under certain circumstances; providing that a police officer may be required to submit to certain tests, examinations, or interrogations under certain circumstances; authorizing a certain law enforcement agency to commence an action that may lead to a certain punitive measure under certain circumstances; providing that the results of a certain test, examination, or interrogation are not admissible or discoverable in a certain proceeding under certain circumstances; providing that forfeiture of a law enforcement officer's pension may be imposed as a disciplinary action under certain circumstances; requiring a law enforcement agency to designate a certain victims' rights advocate for a certain purpose; providing for the duties of a victims' rights advocate; requiring each law enforcement agency to create a certain database; requiring a certain investigating unit to review a certain complaint at a certain time; requiring an administrative charging committee to take certain actions within a certain time period; requiring a certain process of review to be completed within a certain time period; providing that a certain police officer and a complainant have the right to representation in connection with certain proceedings; prohibiting the taking of certain adverse employment actions against a police officer because the police officer took certain actions; prohibiting the denial of a police officer's right to bring suit arising out of certain duties; providing that a police officer has certain rights to engage in political activity; prohibiting a law enforcement agency from prohibiting secondary employment by police officers; authorizing a law enforcement agency to adopt certain regulations; authorizing a court to order the forfeiture of pension benefits, in whole or in part, for a law enforcement officer who is convicted of a qualifying crime; requiring the Attorney General or the State's Attorney to file a certain complaint in circuit court; establishing certain findings that shall be made when entering an order requiring the forfeiture of benefits; requiring the forfeiture order to indicate the amount

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of benefits forfeited; requiring a court to consider certain factors when determining the amount of benefits subject to forfeiture; authorizing a court to order a law enforcement officer subject to a forfeiture order to request a return of accumulated contributions to be used for restitution relating to a qualifying crime; providing that certain forfeiture provisions do not apply to certain contributions made, service earned, or crimes committed before a certain date;”; in line 30, after “manner;” insert “providing for the intent of the General Assembly that the Maryland Higher Education Commission adopt certain regulations; providing for a delayed effective date for certain provisions of this Act; providing for the application of certain provisions of this Act;”.

On pages 3 and 4, strike in their entirety the lines beginning with line 44 on page 3 through line 4 on page 4, inclusive.

On page 4, in line 7, strike “1–203(a)(2)(vi)” and substitute “1–203(a)”; strike in their entirety lines 10 through 14, inclusive, and substitute:

“BY adding to

Article – Criminal Procedure

Section 2–109

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article - Education

Section 18-101

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

in line 17, strike “15-106.11” and substitute “18-3701 through 18-3705 to be under the new subtitle “Subtitle 37. Maryland Loan Assistance Repayment Program for Police Officers”; and 18–3801 through 18–3807 to be under the new subtitle “Subtitle 38. Maryland Police Officers Scholarship Program””; and strike in their entirety lines 20 through 29, inclusive, and substitute:

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“BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–303(a)
Annotated Code of Maryland
(2020 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–104(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – General Provisions
Section 4–101(a) and (c)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to
Article – General Provisions
Section 4–101(i) and (l)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 4–101(i) and (j), 4–1A–04, 4–311, and 4–351
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to

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Article - Public Safety

Section 3-101 through 3-113 to be under the new subtitle “Subtitle 1. Police Accountability and Discipline”; 3-207(j) and (k), 3-508, 3-523, and 3-524
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article - Public Safety

Section 3-203, 3-207(a)(16) and (g), 3-209, 3-212, 3-215, 3-511, 3-514, 3-515,
and 3-516

Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article - State Personnel and Pensions

Section 20-210

Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 1 through 33, inclusive; in line 36, strike “(2) (vi)” and substitute “(1) IN THIS SUBSECTION, “NO-KNOCK SEARCH WARRANT” MEANS A SEARCH WARRANT THAT AUTHORIZES THE EXECUTING LAW ENFORCEMENT OFFICER TO ENTER A BUILDING, APARTMENT, PREMISES, PLACE, OR THING TO BE SEARCHED WITHOUT GIVING NOTICE OF THE OFFICER’S AUTHORITY OR PURPOSE.”

(2) A circuit court judge or District Court judge may issue forthwith a search warrant whenever it is made to appear to the judge, by application as described in paragraph [(2)](3) of this subsection, that there is probable cause to believe that:

(i) a misdemeanor or felony is being committed by a person or in a building, apartment, premises, place, or thing within the territorial jurisdiction of the judge; or

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(ii) property subject to seizure under the criminal laws of the State is on the person or in or on the building, apartment, premises, place, or thing.

[(2)](3) (i) An application for a search warrant shall be:

1. in writing;

2. signed, dated, and sworn to by the applicant; and

3. accompanied by an affidavit that:

A. sets forth the basis for probable cause as described in paragraph (1) of this subsection; and

B. contains facts within the personal knowledge of the affiant that there is probable cause.

(ii) An application for a search warrant may be submitted to a judge:

1. by in-person delivery of the application, the affidavit, and a proposed search warrant;

2. by secure fax, if a complete and printable image of the application, the affidavit, and a proposed search warrant are submitted; or

3. by secure electronic mail, if a complete and printable image of the application, the affidavit, and a proposed search warrant are submitted.

(iii) The applicant and the judge may converse about the search warrant application:

1. in person;

2. via telephone; or

3. via video.

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(iv) The judge may issue the search warrant:

1. by signing the search warrant, indicating the date and time of issuance on the search warrant, and physically delivering the signed and dated search warrant, the application, and the affidavit to the applicant;

2. by signing the search warrant, writing the date and time of issuance on the search warrant, and sending complete and printable images of the signed and dated search warrant, the application, and the affidavit to the applicant by secure fax; or

3. by signing the search warrant, either electronically or in writing, indicating the date and time of issuance on the search warrant, and sending complete and printable images of the signed and dated search warrant, the application, and the affidavit to the applicant by secure electronic mail.

(v) The judge shall file a copy of the signed and dated search warrant, the application, and the affidavit with the court.

(vi)”;

and in the same line, strike “An” and substitute “**1. IF APPROVED IN WRITING BY A POLICE SUPERVISOR AND THE STATE’S ATTORNEY, AN**”.

On pages 5 and 6, strike beginning with “authorize” in line 37 on page 5 down through “purpose” in line 1 on page 6 and substitute “**BE A NO-KNOCK SEARCH WARRANT**”.

On page 6, after line 6, insert:

“2. AN APPLICATION FOR A NO-KNOCK SEARCH WARRANT UNDER THIS SUBPARAGRAPH SHALL CONTAIN:

(Over)

A. A DESCRIPTION OF THE CLEAR AND CONVINCING EVIDENCE IN SUPPORT OF THE APPLICATION;

B. AN EXPLANATION OF THE INVESTIGATIVE ACTIVITIES THAT HAVE BEEN UNDERTAKEN AND THE INFORMATION THAT HAS BEEN GATHERED TO SUPPORT THE REQUEST FOR A NO-KNOCK SEARCH WARRANT;

C. AN EXPLANATION OF WHY THE AFFIANT IS UNABLE TO DETAIN THE SUSPECT OR SEARCH THE PREMISES USING OTHER, LESS INVASIVE METHODS;

D. ACKNOWLEDGMENT THAT ANY POLICE OFFICERS WHO WILL EXECUTE THE SEARCH WARRANT HAVE SUCCESSFULLY COMPLETED THE SAME TRAINING IN BREACH AND CALL-OUT ENTRY PROCEDURES AS SWAT TEAM MEMBERS;

E. A STATEMENT AS TO WHETHER THE SEARCH WARRANT CAN EFFECTIVELY BE EXECUTED DURING DAYLIGHT HOURS AND, IF NOT, WHAT FACTS OR CIRCUMSTANCES PRECLUDE EFFECTIVE EXECUTION IN DAYLIGHT HOURS; AND

F. A LIST OF ANY ADDITIONAL OCCUPANTS OF THE PREMISES BY AGE AND GENDER, AS WELL AS AN INDICATION AS TO WHETHER ANY INDIVIDUALS WITH COGNITIVE OR PHYSICAL DISABILITIES OR PETS RESIDE AT THE PREMISES, IF KNOWN.

[(3)](4) The search warrant shall:

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(i) be directed to a duly constituted police officer, the State Fire Marshal, or a full-time investigative and inspection assistant of the Office of the State Fire Marshal and authorize the police officer, the State Fire Marshal, or a full-time investigative and inspection assistant of the Office of the State Fire Marshal to search the suspected person, building, apartment, premises, place, or thing and to seize any property found subject to seizure under the criminal laws of the State;

(ii) name or describe, with reasonable particularity:

1. the person, building, apartment, premises, place, or thing to be searched;

2. the grounds for the search; and

3. the name of the applicant on whose application the search warrant was issued; and

(iii) if warranted by application as described in paragraph [(2)] (3) of this subsection, authorize the executing law enforcement officer to enter the building, apartment, premises, place, or thing to be searched without giving notice of the officer's authority or purpose.

[(4)](5) (i) The search and seizure under the authority of a search warrant shall be made within [15] 7 calendar days after the day that the search warrant is issued.

(ii) After the expiration of the [15-day] 7-DAY period, the search warrant is void.

[(5)](6) The executing law enforcement officer shall give a copy of the search warrant, the application, and the affidavit to an authorized occupant of the premises searched or leave a copy of the search warrant, the application, and the affidavit at the premises searched.

(Over)

[(6)](7) (i) The executing law enforcement officer shall prepare a detailed search warrant return which shall include the date and time of the execution of the search warrant.

(ii) The executing law enforcement officer shall:

1. give a copy of the search warrant return to an authorized occupant of the premises searched or leave a copy of the return at the premises searched; and

2. file a copy of the search warrant return with the court in person, by secure fax, or by secure electronic mail.”;

in line 7, strike “(7)” and substitute “(8) (I) IN THIS PARAGRAPH, “EXIGENT CIRCUMSTANCES” RETAINS ITS JUDICIALLY DETERMINED MEANING.

(II)”;

and after line 8, insert:

“(III) WHILE EXECUTING A SEARCH WARRANT, A POLICE OFFICER SHALL BE CLEARLY RECOGNIZABLE AND IDENTIFIABLE AS A POLICE OFFICER, WEARING A UNIFORM, BADGE, AND TAG BEARING THE NAME AND IDENTIFICATION NUMBER OF THE POLICE OFFICER.

(IV) A POLICE OFFICER EXECUTING A SEARCH WARRANT SHALL USE A BODY CAMERA DURING THE COURSE OF THE SEARCH IN ACCORDANCE WITH THE POLICIES ESTABLISHED BY THE POLICE OFFICER’S LAW ENFORCEMENT AGENCY.

(V) UNLESS EXECUTING A NO-KNOCK SEARCH WARRANT, A POLICE OFFICER SHALL ALLOW A MINIMUM OF 30 SECONDS FOR THE OCCUPANTS

OF A RESIDENCE TO RESPOND AND OPEN THE DOOR BEFORE THE POLICE OFFICER ATTEMPTS TO ENTER THE RESIDENCE, ABSENT EXIGENT CIRCUMSTANCES.

(VI) A POLICE OFFICER MAY NOT USE FLASH BANG, STUN, DISTRACTION, OR OTHER SIMILAR MILITARY–STYLE DEVICES WHEN EXECUTING A SEARCH WARRANT, ABSENT EXIGENT CIRCUMSTANCES.

2-109.

(A) AT THE COMMENCEMENT OF A TRAFFIC STOP OR OTHER STOP, ABSENT EXIGENT CIRCUMSTANCES, A POLICE OFFICER SHALL:

(1) DISPLAY PROPER IDENTIFICATION TO THE STOPPED INDIVIDUAL; AND

(2) PROVIDE THE FOLLOWING INFORMATION TO THE STOPPED INDIVIDUAL:

(I) THE OFFICER’S NAME;

(II) THE OFFICER’S BADGE NUMBER;

(III) THE NAME OF THE LAW ENFORCEMENT AGENCY THE POLICE OFFICER IS REPRESENTING; AND

(IV) THE REASON FOR THE TRAFFIC STOP OR OTHER STOP.

(Over)

(B) A POLICE OFFICER MAY NOT PROHIBIT OR PREVENT A CITIZEN FROM RECORDING THE POLICE OFFICER’S ACTIONS IF THE CITIZEN IS OTHERWISE ACTING LAWFULLY.”

AMENDMENT NO. 3

On pages 6 and 7, strike in their entirety the lines beginning with line 10 on page 6 through line 4 on page 7, inclusive, and substitute:

“18–101.

- (a) In this title the following words have the meanings indicated.**
- (b) “Commission” means the Maryland Higher Education Commission.**
- (c) “Office” means the Office of Student Financial Assistance.**
- (d) “Secretary” means the Secretary of Higher Education.**

SUBTITLE 37. MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR POLICE OFFICERS.

18-3701.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “ELIGIBLE EMPLOYMENT” MEANS TO WORK AS A POLICE OFFICER IN THE STATE FOR AT LEAST 2 YEARS.

(C) “HIGHER EDUCATION LOAN” MEANS A LOAN THAT IS OBTAINED FOR TUITION FOR UNDERGRADUATE STUDY LEADING TO A DEGREE IN CRIMINAL LAW, CRIMINOLOGY, OR CRIMINAL JUSTICE.

(D) "POLICE OFFICER" HAS THE MEANING STATED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE.

(E) "PROGRAM" MEANS THE MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR POLICE OFFICERS.

18-3702.

(A) THERE IS A MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR POLICE OFFICERS IN THE STATE.

(B) THE OFFICE SHALL DISTRIBUTE FUNDS FROM THE PROGRAM TO ASSIST IN THE REPAYMENT OF A HIGHER EDUCATION LOAN OWED BY A POLICE OFFICER WHO:

(1) RECEIVES A GRADUATE, PROFESSIONAL, OR UNDERGRADUATE DEGREE FROM A PUBLIC COLLEGE OR UNIVERSITY IN THE STATE;

(2) OBTAINS ELIGIBLE EMPLOYMENT; AND

(3) SATISFIES ANY OTHER CRITERIA ESTABLISHED BY THE OFFICE.

18-3703.

(A) THE OFFICE SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

(Over)

(B) THE REGULATIONS SHALL INCLUDE A LIMIT ON THE TOTAL AMOUNT OF ASSISTANCE PROVIDED BY THE OFFICE IN REPAYING THE LOAN OF AN ELIGIBLE INDIVIDUAL, BASED ON THE INDIVIDUAL'S TOTAL INCOME AND OUTSTANDING HIGHER EDUCATION LOAN BALANCE.

18-3704.

THE GOVERNOR SHALL INCLUDE AN ANNUAL APPROPRIATION OF AT LEAST \$1,500,000 IN THE STATE BUDGET FOR THE PROGRAM.

18-3705.

SUBJECT TO § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE OFFICE SHALL REPORT TO THE GENERAL ASSEMBLY BY JANUARY 1 EACH YEAR ON THE IMPLEMENTATION OF THE PROGRAM.

SUBTITLE 38. MARYLAND POLICE OFFICERS SCHOLARSHIP PROGRAM.

18-3801.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "ELIGIBLE INSTITUTION" MEANS A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION IN THE STATE.

(C) "POLICE OFFICER" HAS THE MEANING STATED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE.

(D) "SERVICE OBLIGATION" MEANS TO WORK AS A POLICE OFFICER IN THE STATE NOT LESS THAN 5 YEARS DURING THE 8-YEAR PERIOD AFTER GRADUATION.

18-3802.

(A) THERE IS A MARYLAND POLICE OFFICERS SCHOLARSHIP PROGRAM.

(B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE TUITION ASSISTANCE FOR STUDENTS:

(1) ATTENDING A 4-YEAR DEGREE PROGRAM IN CRIMINAL LAW, CRIMINOLOGY, OR CRIMINAL JUSTICE AT AN ELIGIBLE INSTITUTION WITH THE INTENT TO BE A POLICE OFFICER AFTER GRADUATION; OR

(2) WHO ARE CURRENTLY POLICE OFFICERS ATTENDING A 4-YEAR DEGREE PROGRAM IN CRIMINAL LAW, CRIMINOLOGY, OR CRIMINAL JUSTICE AT AN ELIGIBLE INSTITUTION.

(C) THE OFFICE SHALL PUBLICIZE THE AVAILABILITY OF THE MARYLAND POLICE OFFICERS SCHOLARSHIP.

18-3803.

(A) THE OFFICE SHALL ANNUALLY SELECT ELIGIBLE STUDENTS AND OFFER A SCHOLARSHIP TO EACH STUDENT SELECTED TO BE USED AT AN ELIGIBLE INSTITUTION OF THE STUDENT'S CHOICE.

(Over)

(B) A RECIPIENT OF THE MARYLAND POLICE OFFICERS SCHOLARSHIP SHALL:

(1) BE A MARYLAND RESIDENT OR HAVE GRADUATED FROM A MARYLAND HIGH SCHOOL;

(2) BE ACCEPTED FOR ADMISSION OR CURRENTLY ENROLLED AT AN ELIGIBLE INSTITUTION AS A FULL-TIME OR PART-TIME UNDERGRADUATE OR GRADUATE STUDENT PURSUING A COURSE OF STUDY OR PROGRAM IN CRIMINAL LAW, CRIMINOLOGY, OR CRIMINAL JUSTICE;

(3) SIGN A LETTER OF INTENT TO PERFORM THE SERVICE OBLIGATION ON COMPLETION OF THE RECIPIENT'S REQUIRED STUDIES; AND

(4) SATISFY ANY ADDITIONAL CRITERIA THE COMMISSION MAY ESTABLISH.

(C) A CURRENT POLICE OFFICER SHALL BE ELIGIBLE FOR A MARYLAND POLICE OFFICERS SCHOLARSHIP IF THEY MEET THE ELIGIBILITY CRITERIA UNDER SUBSECTION (B) OF THIS SECTION.

18-3804.

THE RECIPIENT OF A MARYLAND POLICE OFFICERS SCHOLARSHIP SHALL REPAY THE COMMISSION THE FUNDS RECEIVED AS SET FORTH IN § 18-112 OF THIS TITLE IF THE RECIPIENT DOES NOT:

(1) SATISFY THE DEGREE REQUIREMENTS OF THE ELIGIBLE COURSE OF STUDY OR PROGRAM OR FULFILL OTHER REQUIREMENTS AS PROVIDED IN THIS SUBTITLE; OR

(2) PERFORM THE SERVICE OBLIGATION TO WORK AS A POLICE OFFICER FOR AT LEAST 5 YEARS DURING THE 8-YEAR PERIOD AFTER GRADUATION.

18-3805.

THE ANNUAL SCHOLARSHIP AWARD SHALL BE 50% OF THE EQUIVALENT ANNUAL TUITION AND MANDATORY FEES OF A RESIDENT UNDERGRADUATE STUDENT AT THE ELIGIBLE INSTITUTION.

18-3806.

THE GOVERNOR SHALL ANNUALLY INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF AT LEAST \$8,500,000 TO THE COMMISSION TO AWARD SCHOLARSHIPS UNDER THIS SUBTITLE, AND THE COMMISSION SHALL USE:

(1) \$6,000,000 FOR SCHOLARSHIPS TO STUDENTS INTENDING TO BECOME POLICE OFFICERS AFTER GRADUATION; AND

(2) \$2,500,000 FOR SCHOLARSHIPS FOR EXISTING POLICE OFFICERS TO ATTEND AN ELIGIBLE INSTITUTION AND REMAIN A POLICE OFFICER AFTER GRADUATION.

18-3807.

(Over)

THE OFFICE SHALL:

(1) PUBLICIZE THE AVAILABILITY OF MARYLAND POLICE OFFICERS SCHOLARSHIPS; AND

(2) TO THE EXTENT PRACTICABLE, AWARD SCHOLARSHIPS UNDER THIS SUBTITLE IN A MANNER THAT REFLECTS ETHNIC, GENDER, RACIAL, AND GEOGRAPHIC DIVERSITY.

Article – Public Safety

3-523.

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

(2) “EMPLOYEE ASSISTANCE PROGRAM” MEANS A WORK-BASED PROGRAM OFFERED TO ALL POLICE OFFICERS THAT PROVIDES ACCESS TO VOLUNTARY AND CONFIDENTIAL SERVICES TO ADDRESS THE MENTAL HEALTH ISSUES OF A POLICE OFFICER STEMMING FROM PERSONAL AND WORK-RELATED CONCERNS, INCLUDING STRESS, FINANCIAL ISSUES, LEGAL ISSUES, FAMILY PROBLEMS, OFFICE CONFLICTS, AND ALCOHOL AND SUBSTANCE ABUSE DISORDERS.

(3) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(4) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(B) EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE ACCESS TO AN EMPLOYEE ASSISTANCE PROGRAM OR A MENTAL HEALTH PROGRAM FOR ALL POLICE OFFICERS THAT THE LAW ENFORCEMENT AGENCY EMPLOYS.

(C) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION SHALL PROVIDE POLICE OFFICERS ACCESS TO CONFIDENTIAL MENTAL HEALTH SERVICES, INCLUDING:

- (1) COUNSELING SERVICES;**
- (2) CRISIS COUNSELING;**
- (3) STRESS MANAGEMENT COUNSELING;**
- (4) RESILIENCY SESSIONS; AND**
- (5) PEER SUPPORT SERVICES FOR POLICE OFFICERS.**

(D) IN ADDITION TO THE REQUIREMENTS OF § 3-516 OF THIS SUBTITLE, AS PART OF THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION, EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE TO ALL POLICE OFFICERS THE AGENCY EMPLOYS A VOLUNTARY MENTAL HEALTH CONSULTATION OR COUNSELING SERVICES BEFORE THE POLICE OFFICER RETURNS TO FULL DUTY FOLLOWING ANY INCIDENT INVOLVING:

- (1) A SERIOUS INJURY TO THE POLICE OFFICER;**
- (2) AN OFFICER-INVOLVED SHOOTING;**

(3) AN ACCIDENT RESULTING IN A FATALITY; OR

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

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

(F) EACH LAW ENFORCEMENT AGENCY SHALL DEVELOP A POLICY TO PROVIDE ACCESS TO THE SERVICES REQUIRED BY THIS SECTION AT MINIMAL COST TO A POLICE OFFICER.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

5–303.

(a) (1) [Subject to paragraph (2)] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) of this subsection, the liability of a local government may not exceed \$400,000 per an individual claim, and \$800,000 per total claims that arise from the same occurrence for damages resulting from tortious acts or omissions, or liability arising under subsection (b) of this section and indemnification under subsection (c) of this section.

(2) The limits on liability provided under paragraph (1) of this subsection do not include interest accrued on a judgment.

(3) IF THE LIABILITY OF A LOCAL GOVERNMENT ARISES FROM TORTIOUS ACTS OR OMISSIONS COMMITTED BY A LAW ENFORCEMENT OFFICER, THE FOLLOWING LIMITS ON LIABILITY APPLY:

(I) 1. SUBJECT TO ITEM 2 OF THIS ITEM AND ITEM (II) OF THIS PARAGRAPH, THE COMBINED AWARD FOR BOTH ECONOMIC AND NONECONOMIC DAMAGES MAY NOT EXCEED A TOTAL OF \$890,000; AND

2. A. THE LIMITATION ON NONECONOMIC DAMAGES PROVIDED UNDER ITEM 1 OF THIS ITEM SHALL INCREASE BY \$15,000 ON OCTOBER 1 EACH YEAR BEGINNING OCTOBER 1, 2022; AND

B. THE INCREASED AMOUNT SHALL APPLY TO CAUSES OF ACTION ARISING BETWEEN OCTOBER 1 OF THAT YEAR AND SEPTEMBER 30 OF THE FOLLOWING YEAR, INCLUSIVE; AND

(II) 1. THE LIMITATION ESTABLISHED UNDER ITEM (I) OF THIS PARAGRAPH SHALL APPLY IN A PERSONAL INJURY ACTION TO EACH DIRECT VICTIM OF TORTIOUS CONDUCT AND ALL PERSONS WHO CLAIM INJURY BY OR THROUGH THAT VICTIM; AND

2. IN A WRONGFUL DEATH ACTION IN WHICH THERE ARE TWO OR MORE CLAIMANTS OR BENEFICIARIES, AN AWARD FOR NONECONOMIC DAMAGES MAY NOT EXCEED 150% OF THE LIMITATION ESTABLISHED UNDER ITEM (I) OF THIS PARAGRAPH, REGARDLESS OF THE NUMBER OF CLAIMANTS OR BENEFICIARIES WHO SHARE IN THE AWARD.

Article – State Government

(a) (1) Subject to the exclusions and limitations in this subtitle and notwithstanding any other provision of law, the immunity of the State and of its units is waived as to a tort action, in a court of the State, to the extent provided under paragraph (2) of this subsection.

(2) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE liability of the State and its units may not exceed \$400,000 to a single claimant for injuries arising from a single incident or occurrence.

(II) IF LIABILITY OF THE STATE OR ITS UNITS ARISES FROM TORTIOUS ACTS OR OMISSIONS COMMITTED BY A LAW ENFORCEMENT OFFICER, THE FOLLOWING LIMITS ON LIABILITY SHALL APPLY:

1. A. SUBJECT TO ITEM B OF THIS ITEM AND ITEM 2 OF THIS SUBPARAGRAPH, THE COMBINED AWARD FOR BOTH ECONOMIC AND NONECONOMIC DAMAGES SHALL NOT EXCEED A TOTAL OF \$890,000;

B. THE LIMITATION ON NONECONOMIC DAMAGES PROVIDED UNDER ITEM A OF THIS ITEM SHALL INCREASE BY \$15,000 ON OCTOBER 1 EACH YEAR BEGINNING OCTOBER 1, 2022; AND

C. THE INCREASED AMOUNT SHALL APPLY TO CAUSES OF ACTION ARISING BETWEEN OCTOBER 1 OF THAT YEAR AND SEPTEMBER 30 OF THE FOLLOWING YEAR, INCLUSIVE; AND

2. A. THE LIMITATION ESTABLISHED UNDER ITEM 1 OF THIS SUBPARAGRAPH SHALL APPLY IN A PERSONAL INJURY ACTION TO EACH DIRECT VICTIM OF TORTIOUS CONDUCT AND ALL PERSONS WHO CLAIM INJURY BY OR THROUGH THAT VICTIM; AND

B. IN A WRONGFUL DEATH ACTION IN WHICH THERE ARE TWO OR MORE CLAIMANTS OR BENEFICIARIES, AN AWARD FOR NONECONOMIC DAMAGES MAY NOT EXCEED 150% OF THE LIMITATION ESTABLISHED UNDER ITEM 1 OF THIS ITEM, REGARDLESS OF THE NUMBER OF CLAIMANTS OR BENEFICIARIES WHO SHARE IN THE AWARD.

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – General Provisions

4-101.

(a) In this title the following words have the meanings indicated.

(c) “Board” means the State Public Information Act Compliance Board.

(I) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE.

[(i)](J) “Political subdivision” means:

(1) a county;

(2) a municipal corporation;

(3) an unincorporated town;

(4) a school district; or

(Over)

(5) a special district.

~~(i)~~**(K)** (1) “Public record” means the original or any copy of any documentary material that:

(i) is made by a unit or an instrumentality of the State or of a political subdivision or received by the unit or instrumentality in connection with the transaction of public business; and

(ii) is in any form, including:

1. a card;
2. a computerized record;
3. correspondence;
4. a drawing;
5. film or microfilm;
6. a form;
7. a map;
8. a photograph or photostat;
9. a recording; or
10. a tape.

(2) “Public record” includes a document that lists the salary of an employee of a unit or an instrumentality of the State or of a political subdivision.

(3) “Public record” does not include a digital photographic image or signature of an individual, or the actual stored data of the image or signature, recorded by the Motor Vehicle Administration.

(L) “TECHNICAL INFRACTION” MEANS A MINOR RULE VIOLATION BY AN INDIVIDUAL SOLELY RELATED TO THE ENFORCEMENT OF ADMINISTRATIVE RULES THAT:

(1) DOES NOT INVOLVE AN INTERACTION BETWEEN A MEMBER OF THE PUBLIC AND THE INDIVIDUAL;

(2) DOES NOT RELATE TO THE INDIVIDUAL’S INVESTIGATIVE, ENFORCEMENT, TRAINING, SUPERVISION, OR REPORTING RESPONSIBILITIES; AND

(3) IS NOT OTHERWISE A MATTER OF PUBLIC CONCERN.

4-1A-04.

(a) The Board shall:

(1) receive, review, and, subject to § 4-1A-07 of this subtitle, resolve complaints filed under § 4-1A-05 of this subtitle from any applicant or the applicant’s designated representative alleging that a custodian charged an unreasonable fee under § 4-206 of this title;

(2) issue a written opinion as to whether a violation has occurred; and

(Over)

(3) if the Board finds that the custodian charged an unreasonable fee under § 4–206 of this title, order the custodian to reduce the fee to an amount determined by the Board to be reasonable and refund the difference.

(B) THE BOARD SHALL:

(1) RECEIVE, REVIEW, AND RESOLVE COMPLAINTS FILED FROM ANY CUSTODIAN ALLEGING THAT AN APPLICANT’S REQUEST OR PATTERN OF REQUESTS IS FRIVOLOUS, VEXATIOUS, OR IN BAD FAITH;

(2) ISSUE A WRITTEN DECISION AS TO WHETHER THE APPLICANT’S REQUEST OR PATTERN OF REQUESTS IS FRIVOLOUS, VEXATIOUS, OR IN BAD FAITH; AND

(3) IF THE BOARD FINDS THAT THE APPLICANT’S REQUEST OR PATTERN OF REQUESTS IS FRIVOLOUS, VEXATIOUS, OR IN BAD FAITH, BASED ON THE TOTALITY OF THE CIRCUMSTANCES INCLUDING THE NUMBER AND SCOPE OF THE APPLICANT’S PAST REQUESTS AND THE CUSTODIAN’S RESPONSES TO PAST REQUESTS AND EFFORTS TO COOPERATE WITH THE APPLICANT, ISSUE AN ORDER AUTHORIZING THE CUSTODIAN TO:

(I) IGNORE THE REQUEST THAT IS THE SUBJECT OF THE CUSTODIAN’S COMPLAINT; OR

(II) RESPOND TO A LESS BURDENSOME VERSION OF THE REQUEST WITHIN A REASONABLE TIME FRAME, AS DETERMINED BY THE BOARD.

[(b)](C) The Board shall:

(1) study ongoing compliance with this title by custodians; and

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(2) make recommendations to the General Assembly for improvements to this title.

[(c)](D) (1) On or before October 1 of each year, the Board shall submit a report to the Governor and, subject to § 2-1257 of the State Government Article, the General Assembly.

(2) The report shall:

(i) describe the activities of the Board;

(ii) describe the opinions of the Board;

(iii) state the number and nature of complaints filed with the Board; and

(iv) recommend any improvements to this title.

4-311.

(a) Subject to subsection (b) of this section, a custodian shall deny inspection of a personnel record of an individual, including an application, a performance rating, or scholastic achievement information.

(b) A custodian shall allow inspection by:

(1) the person in interest;

(2) an elected or appointed official who supervises the work of the individual; [or]

(Over)

(3) an employee organization described in Title 6 of the Education Article of the portion of the personnel record that contains the individual's:

- (i) home address;
- (ii) home telephone number; and
- (iii) personal cell phone number;

(4) THE UNITED STATES ATTORNEY;

(5) THE ATTORNEY GENERAL;

(6) THE STATE PROSECUTOR; OR

(7) A STATE'S ATTORNEY.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, 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, IS NOT A PERSONNEL RECORD FOR PURPOSES OF THIS SECTION.

(2) A RECORD OF A TECHNICAL INFRACTION IS A PERSONNEL RECORD FOR THE PURPOSES OF THIS SECTION.

(a) Subject to [subsection (b)] SUBSECTIONS (B), (C), AND (D) of this section, a custodian may deny inspection of:

(1) records of investigations conducted by the Attorney General, a State's Attorney, a municipal or county attorney, a police department, or a sheriff;

(2) an investigatory file compiled for any other law enforcement, judicial, correctional, or prosecution purpose; [or]

(3) records that contain intelligence information or security procedures of the Attorney General, a State's Attorney, a municipal or county attorney, a police department, a State or local correctional facility, or a sheriff; OR

(4) RECORDS, OTHER THAN A RECORD OF A TECHNICAL INFRACTION, 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.

(b) A custodian may deny inspection by a person in interest only to the extent that the inspection would:

(1) interfere with a valid and proper law enforcement proceeding;

(2) deprive another person of a right to a fair trial or an impartial adjudication;

(3) constitute an unwarranted invasion of personal privacy;

(4) disclose the identity of a confidential source;

- (5) disclose an investigative technique or procedure;
- (6) prejudice an investigation; or
- (7) endanger the life or physical safety of an individual.

(C) A CUSTODIAN SHALL ALLOW INSPECTION OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION BY:

- (1) THE UNITED STATES ATTORNEY;**
- (2) THE ATTORNEY GENERAL;**
- (3) THE STATE PROSECUTOR; OR**
- (4) A STATE'S ATTORNEY.**

(D) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A CUSTODIAN SHALL DENY INSPECTION OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION:

- (1) IF THE RECORD RELATES TO AN ACTIVE INVESTIGATION; OR**
- (2) TO THE EXTENT THAT THE RECORD REFLECTS:**

(I) MEDICAL INFORMATION;

(II) PERSONAL CONTACT INFORMATION OF THE PERSON IN

INTEREST;

(III) INFORMATION RELATING TO THE FAMILY OF THE PERSON IN INTEREST; OR

(IV) WITNESS INFORMATION.

(E) A CUSTODIAN SHALL NOTIFY THE PERSON IN INTEREST OF A RECORD DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION WHEN THE RECORD IS INSPECTED, BUT MAY NOT DISCLOSE THE IDENTITY OF THE REQUESTOR TO THE PERSON IN INTEREST.

SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

AMENDMENT NO. 4

On page 7, after line 5, insert:

"SUBTITLE 1. POLICE ACCOUNTABILITY AND DISCIPLINE.

3-101.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "ADMINISTRATIVELY CHARGED" MEANS THAT A POLICE OFFICER HAS BEEN FORMALLY ACCUSED OF MISCONDUCT IN AN ADMINISTRATIVE PROCEEDING.

(C) "DISCIPLINARY MATRIX" MEANS A WRITTEN, CONSISTENT, PROGRESSIVE, AND TRANSPARENT TOOL OR RUBRIC THAT PROVIDES RANGES OF DISCIPLINARY ACTIONS FOR DIFFERENT TYPES OF MISCONDUCT.

(Over)

(D) “EXONERATED” MEANS THAT A POLICE OFFICER ACTED IN ACCORDANCE WITH THE LAW AND AGENCY POLICY.

(E) “INDEPENDENT INVESTIGATIVE AGENCY” MEANS THE AGENCY ESTABLISHED UNDER § 3-102 OF THIS SUBTITLE.

(F) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(G) “NOT ADMINISTRATIVELY CHARGED” MEANS THAT A DETERMINATION HAS BEEN MADE NOT TO ADMINISTRATIVELY CHARGE A POLICE OFFICER IN CONNECTION WITH ALLEGED MISCONDUCT.

(H) “POLICE MISCONDUCT” MEANS A PATTERN, A PRACTICE, OR CONDUCT BY A POLICE OFFICER OR LAW ENFORCEMENT AGENCY THAT INCLUDES:

(1) DEPRIVING PERSONS OF RIGHTS PROTECTED BY THE CONSTITUTION OR LAWS OF THE STATE OR THE UNITED STATES;

(2) A VIOLATION OF A CRIMINAL STATUTE; AND

(3) A VIOLATION OF LAW ENFORCEMENT AGENCY STANDARDS AND POLICIES.

(I) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(J) "SERIOUS PHYSICAL INJURY" HAS THE MEANING STATED IN § 3-201 OF THE CRIMINAL LAW ARTICLE.

(K) "SUPERIOR GOVERNMENTAL AUTHORITY" MEANS THE GOVERNING BODY THAT OVERSEES A LAW ENFORCEMENT AGENCY.

(L) "UNFOUNDED" MEANS THAT THE ALLEGATIONS AGAINST A POLICE OFFICER ARE NOT SUPPORTED BY FACT.

3-102.

(A) THE INDEPENDENT INVESTIGATIVE AGENCY IS ESTABLISHED AS AN INDEPENDENT UNIT OF STATE GOVERNMENT FOR THE PURPOSE OF INVESTIGATING USE OF FORCE INCIDENTS INVOLVING POLICE OFFICERS.

(B) THE INDEPENDENT INVESTIGATIVE AGENCY MAY EMPLOY SWORN POLICE OFFICERS AND CIVILIANS TO CONDUCT ITS WORK.

(C) A SHOOTING INVOLVING A POLICE OFFICER OR ANOTHER INCIDENT INVOLVING THE USE OF PHYSICAL FORCE BY A POLICE OFFICER CAUSING DEATH OR SERIOUS PHYSICAL INJURY SHALL BE INVESTIGATED BY THE INDEPENDENT INVESTIGATIVE AGENCY.

(D) A LAW ENFORCEMENT AGENCY SHALL:

(1) NOTIFY THE INDEPENDENT INVESTIGATIVE AGENCY OF ANY ALLEGED OR POTENTIAL SHOOTING INVOLVING A POLICE OFFICER OR ANOTHER INCIDENT INVOLVING THE USE OF PHYSICAL FORCE BY A POLICE OFFICER

CAUSING DEATH OR SERIOUS PHYSICAL INJURY AS SOON AS THE LAW ENFORCEMENT AGENCY BECOMES AWARE OF THE INCIDENT; AND

(2) COOPERATE WITH THE INDEPENDENT INVESTIGATIVE AGENCY IN THE INVESTIGATION OF THE INCIDENT.

(E) (1) ON COMPLETION OF AN INVESTIGATION UNDER THIS SECTION, THE INDEPENDENT INVESTIGATIVE AGENCY SHALL SUBMIT A REPORT CONTAINING THE FINDINGS OF THE INVESTIGATION TO THE STATE'S ATTORNEY WITH JURISDICTION OVER THE MATTER.

(2) AFTER THE STATE'S ATTORNEY MAKES A DECISION WHETHER OR NOT TO PROSECUTE, THE INDEPENDENT INVESTIGATIVE AGENCY SHALL PUBLICIZE THE REPORT.

(F) THE GOVERNOR ANNUALLY SHALL INCLUDE FUNDING IN THE STATE BUDGET SUFFICIENT TO PROVIDE FOR THE FULL AND PROPER OPERATION OF THE INDEPENDENT INVESTIGATIVE AGENCY.

3-103.

(A) EACH COUNTY SHALL HAVE A POLICE ACCOUNTABILITY BOARD TO:

(1) HOLD QUARTERLY MEETINGS WITH HEADS OF LAW ENFORCEMENT AGENCIES AND OTHERWISE WORK WITH LAW ENFORCEMENT AGENCIES AND THE COUNTY GOVERNMENT TO IMPROVE MATTERS OF POLICING;

(2) APPOINT CIVILIAN MEMBERS TO CHARGING COMMITTEES AND TRIAL BOARDS;

(3) RECEIVE COMPLAINTS OF POLICE MISCONDUCT FILED BY MEMBERS OF THE PUBLIC; AND

(4) ON A QUARTERLY BASIS, REVIEW OUTCOMES OF DISCIPLINARY MATTERS CONSIDERED BY CHARGING COMMITTEES.

(B) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE MEMBERSHIP OF A POLICE ACCOUNTABILITY BOARD SHALL BE DETERMINED BY THE LOCAL LEGISLATIVE BODY.

(II) AN ACTIVE POLICE OFFICER MAY NOT BE A MEMBER OF A POLICE ACCOUNTABILITY BOARD.

(2) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF A POLICE ACCOUNTABILITY BOARD SHALL REFLECT THE RACIAL, GENDER, AND CULTURAL DIVERSITY OF THE COUNTY.

(C) (1) A COMPLAINT OF POLICE MISCONDUCT FILED WITH A POLICE ACCOUNTABILITY BOARD SHALL INCLUDE:

(I) THE NAME OF THE POLICE OFFICER ACCUSED OF MISCONDUCT;

(II) A DESCRIPTION OF THE FACTS ON WHICH THE COMPLAINT IS BASED; AND

(III) CONTACT INFORMATION OF THE COMPLAINANT OR A PERSON FILING ON BEHALF OF THE COMPLAINANT FOR INVESTIGATIVE FOLLOW-UP.

(2) A COMPLAINT NEED NOT:

(I) INCLUDE IDENTIFYING INFORMATION OF THE COMPLAINANT IF THE COMPLAINANT WISHES TO REMAIN ANONYMOUS; OR

(II) BE NOTARIZED OR SWORN TO UNDER THE PENALTY OF PERJURY.

3-104.

(A) AN INDIVIDUAL MAY FILE A COMPLAINT OF POLICE MISCONDUCT WITH THE LAW ENFORCEMENT AGENCY THAT EMPLOYS THE POLICE OFFICER WHO IS THE SUBJECT OF THE COMPLAINT.

(B) (1) A COMPLAINT OF POLICE MISCONDUCT FILED WITH A LAW ENFORCEMENT AGENCY SHALL INCLUDE:

(I) THE NAME OF THE POLICE OFFICER ACCUSED OF MISCONDUCT;

(II) A DESCRIPTION OF THE FACTS ON WHICH THE COMPLAINT IS BASED; AND

(III) CONTACT INFORMATION OF THE COMPLAINANT OR A PERSON FILING ON BEHALF OF THE COMPLAINANT FOR INVESTIGATIVE FOLLOW-UP.

(2) A COMPLAINT NEED NOT:

(I) INCLUDE IDENTIFYING INFORMATION OF THE COMPLAINANT IF THE COMPLAINANT WISHES TO REMAIN ANONYMOUS; OR

(II) BE NOTARIZED OR SWORN TO UNDER THE PENALTY OF PERJURY.

3-105.

(A) (1) EACH COUNTY SHALL HAVE ONE ADMINISTRATIVE CHARGING COMMITTEE TO SERVE COUNTYWIDE LAW ENFORCEMENT AGENCIES AND LOCAL LAW ENFORCEMENT AGENCIES WITHIN THE COUNTY.

(2) A COUNTY ADMINISTRATIVE CHARGING COMMITTEE SHALL BE COMPOSED OF:

(I) THE CHAIR OF THE COUNTY'S POLICE ACCOUNTABILITY BOARD;

(II) A DESIGNEE OF THE DISTRICT PUBLIC DEFENDER WHO IS:

1. A RESIDENT OF THE COUNTY;

(Over)

2. NOT EMPLOYED BY THE OFFICE OF THE PUBLIC DEFENDER; AND

3. NOT CURRENTLY REPRESENTING A PARTY AS AN ATTORNEY IN A CRIMINAL MATTER PENDING IN A COURT IN THE COUNTY;

(III) A DESIGNEE OF THE STATE'S ATTORNEY FOR THE JURISDICTION WHERE THE ALLEGED MISCONDUCT OCCURRED WHO IS:

1. A RESIDENT OF THE COUNTY;

2. NOT EMPLOYED BY THE OFFICE OF THE STATE'S ATTORNEY; AND

3. NOT CURRENTLY REPRESENTING A PARTY AS AN ATTORNEY IN A CRIMINAL MATTER PENDING IN A COURT IN THE COUNTY;

(IV) ONE CIVILIAN SELECTED BY THE COUNTY'S POLICE ACCOUNTABILITY BOARD; AND

(V) THE LEAD ATTORNEY FOR THE SUPERIOR GOVERNMENTAL AUTHORITY OF THE COUNTY.

(B) (1) THERE SHALL BE AT LEAST ONE STATEWIDE ADMINISTRATIVE CHARGING COMMITTEE TO SERVE STATEWIDE LAW ENFORCEMENT AGENCIES.

(2) A STATEWIDE ADMINISTRATIVE CHARGING COMMITTEE SHALL BE COMPOSED OF:

(I) A DESIGNEE OF THE ATTORNEY GENERAL WHO IS NOT EMPLOYED BY THE OFFICE OF THE ATTORNEY GENERAL, THE OFFICE OF THE STATE PROSECUTOR, OR THE OFFICE OF THE UNITED STATES ATTORNEY;

(II) A DESIGNEE OF THE PUBLIC DEFENDER OF MARYLAND WHO IS NOT EMPLOYED BY THE OFFICE OF THE PUBLIC DEFENDER;

(III) A DESIGNEE OF THE GOVERNOR'S LEGAL COUNSEL;

(IV) ONE CIVILIAN APPOINTED BY THE GOVERNOR; AND

(V) ONE CIVILIAN JOINTLY APPOINTED BY THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE.

(C) BEFORE SERVING AS A MEMBER OF AN ADMINISTRATIVE CHARGING COMMITTEE, AN INDIVIDUAL SHALL RECEIVE TRAINING ON MATTERS RELATING TO POLICE PROCEDURES FROM THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION.

(D) ON COMPLETION OF AN INVESTIGATION OF A COMPLAINT MADE BY A MEMBER OF THE PUBLIC AGAINST A POLICE OFFICER, THE LAW ENFORCEMENT AGENCY SHALL FORWARD TO THE APPROPRIATE ADMINISTRATIVE CHARGING COMMITTEE THE INVESTIGATORY FILES FOR THE MATTER.

(E) AN ADMINISTRATIVE CHARGING COMMITTEE SHALL:

(1) REVIEW THE FINDINGS OF A LAW ENFORCEMENT AGENCY'S INVESTIGATION CONDUCTED AND FORWARDED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION;

(Over)

(2) MAKE A DETERMINATION THAT THE POLICE OFFICER WHO IS SUBJECT TO INVESTIGATION SHALL BE:

(I) ADMINISTRATIVELY CHARGED; OR

(II) NOT ADMINISTRATIVELY CHARGED;

(3) IF THE POLICE OFFICER IS CHARGED, RECOMMEND DISCIPLINE IN ACCORDANCE WITH THE LAW ENFORCEMENT AGENCY'S DISCIPLINARY MATRIX ESTABLISHED IN ACCORDANCE WITH § 3-106 OF THIS SUBTITLE;

(4) ISSUE A WRITTEN OPINION THAT DESCRIBES IN DETAIL ITS FINDINGS, DETERMINATIONS, AND RECOMMENDATIONS; AND

(5) FORWARD THE WRITTEN OPINION TO THE CHIEF OF THE LAW ENFORCEMENT AGENCY AND THE COMPLAINANT.

(F) IN EXECUTING ITS DUTIES IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION, AN ADMINISTRATIVE CHARGING COMMITTEE MAY:

(1) REQUEST INFORMATION OR ACTION FROM THE LAW ENFORCEMENT AGENCY THAT CONDUCTED THE INVESTIGATION, INCLUDING REQUIRING ADDITIONAL INVESTIGATION AND THE ISSUANCE OF SUBPOENAS;

(2) IF THE POLICE OFFICER IS NOT ADMINISTRATIVELY CHARGED, MAKE A DETERMINATION THAT:

(I) THE ALLEGATIONS AGAINST THE POLICE OFFICER ARE UNFOUNDED; OR

(II) THE POLICE OFFICER IS EXONERATED; AND

(3) RECORD, IN WRITING, A FAILURE OF SUPERVISION THAT CAUSED OR CONTRIBUTED TO A POLICE OFFICER'S MISCONDUCT.

(G) AN ADMINISTRATIVE CHARGING COMMITTEE SHALL MEET ONCE PER MONTH AND ADDITIONALLY AS NEEDED.

(H) A MEMBER OF AN ADMINISTRATIVE CHARGING COMMITTEE SHALL MAINTAIN CONFIDENTIALITY RELATING TO A MATTER BEING CONSIDERED BY THE ADMINISTRATIVE CHARGING COMMITTEE UNTIL DISPOSITION OF THE MATTER.

3-106.

(A) THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL DEVELOP AND ADOPT, BY REGULATION, A MODEL UNIFORM DISCIPLINARY MATRIX FOR USE BY EACH LAW ENFORCEMENT AGENCY IN THE STATE.

(B) EACH LAW ENFORCEMENT AGENCY SHALL ADOPT THE UNIFORM STATE DISCIPLINARY MATRIX.

(C) (1) WITHIN 15 DAYS AFTER AN ADMINISTRATIVE CHARGING COMMITTEE ISSUES AN ADMINISTRATIVE CHARGE AGAINST A POLICE OFFICER, THE CHIEF OF THE LAW ENFORCEMENT AGENCY SHALL OFFER DISCIPLINE TO

(Over)

THE POLICE OFFICER WHO HAS BEEN ADMINISTRATIVELY CHARGED IN ACCORDANCE WITH THE DISCIPLINARY MATRIX.

(2) THE CHIEF MAY OFFER THE SAME DISCIPLINE THAT WAS RECOMMENDED BY THE ADMINISTRATIVE CHARGING COMMITTEE OR A HIGHER DEGREE OF DISCIPLINE WITHIN THE APPLICABLE RANGE OF THE DISCIPLINARY MATRIX, BUT MAY NOT DEVIATE BELOW THE DISCIPLINE RECOMMENDED BY THE ADMINISTRATIVE CHARGING COMMITTEE.

(3) IF THE POLICE OFFICER ACCEPTS THE CHIEF'S OFFER OF DISCIPLINE, THEN THE OFFERED DISCIPLINE SHALL BE IMPOSED.

(4) IF THE POLICE OFFICER DOES NOT ACCEPT THE CHIEF'S OFFER OF DISCIPLINE, THEN THE MATTER SHALL BE REFERRED TO A TRIAL BOARD.

3-107.

(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH LAW ENFORCEMENT AGENCY SHALL ESTABLISH A TRIAL BOARD PROCESS IN ACCORDANCE WITH THIS SECTION.

(2) A SMALL LAW ENFORCEMENT AGENCY MAY USE THE TRIAL BOARD PROCESS OF ANOTHER LAW ENFORCEMENT AGENCY BY MUTUAL AGREEMENT.

(B) A TRIAL BOARD SHALL BE COMPOSED OF:

(1) AN ACTIVELY SERVING OR RETIRED ADMINISTRATIVE LAW JUDGE OR A RETIRED JUDGE OF THE DISTRICT COURT OR A CIRCUIT COURT;

(2) A CIVILIAN APPOINTED BY THE COUNTY'S POLICE ACCOUNTABILITY BOARD; AND

(3) A POLICE OFFICER OF EQUAL RANK TO THE POLICE OFFICER WHO IS ACCUSED OF MISCONDUCT.

(C) BEFORE SERVING AS A MEMBER OF A TRIAL BOARD, AN INDIVIDUAL SHALL RECEIVE TRAINING ON MATTERS RELATING TO POLICE PROCEDURES FROM THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION.

(D) PROCEEDINGS OF A TRIAL BOARD SHALL BE OPEN TO THE PUBLIC, EXCEPT TO PROTECT:

(1) A VICTIM'S IDENTITY;

(2) THE PERSONAL PRIVACY OF AN INDIVIDUAL;

(3) A CHILD WITNESS;

(4) MEDICAL RECORDS;

(5) THE IDENTITY OF A CONFIDENTIAL SOURCE;

(6) AN INVESTIGATIVE TECHNIQUE OR PROCEDURE; OR

(7) THE LIFE OR PHYSICAL SAFETY OF AN INDIVIDUAL.

(Over)

(E) A TRIAL BOARD MAY ADMINISTER OATHS AND ISSUE SUBPOENAS AS NECESSARY TO COMPLETE ITS WORK.

(F) A POLICE OFFICER WHO IS THE SUBJECT OF A TRIAL BOARD MAY BE COMPELLED TO:

(1) TESTIFY;

(2) PRODUCE FINANCIAL RECORDS RELATING TO INCOME AND ASSETS; AND

(3) SUBMIT TO A POLYGRAPH EXAMINATION.

(G) A COMPLAINANT HAS THE RIGHT TO BE NOTIFIED OF A TRIAL BOARD HEARING AND, EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE RIGHT TO ATTEND A TRIAL BOARD HEARING.

(H) (1) WITHIN 30 DAYS AFTER THE DATE OF ISSUANCE OF A DECISION OF A TRIAL BOARD, THE DECISION MAY BE APPEALED BY THE EMPLOYEE:

(I) IF THE TRIAL BOARD IS FROM A LOCAL LAW ENFORCEMENT AGENCY, TO THE CIRCUIT COURT OF THE COUNTY IN WHICH THE LAW ENFORCEMENT AGENCY IS LOCATED; AND

(II) IF THE TRIAL BOARD IS FROM A STATEWIDE LAW ENFORCEMENT AGENCY, TO THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY.

(2) AN APPEAL TAKEN UNDER THIS SUBSECTION SHALL BE ON THE RECORD.

(i) A TRIAL BOARD DECISION THAT IS NOT APPEALED IS FINAL.

3-108.

(A) (1) PENDING AN INVESTIGATORY, ADMINISTRATIVE CHARGING COMMITTEE, AND TRIAL BOARD PROCESS, THE CHIEF MAY IMPOSE AN EMERGENCY SUSPENSION WITH OR WITHOUT PAY IF THE CHIEF DETERMINES THAT SUCH A SUSPENSION IS IN THE BEST INTEREST OF THE PUBLIC.

(2) AN EMERGENCY SUSPENSION WITHOUT PAY UNDER THIS SUBSECTION MAY NOT EXCEED 30 DAYS.

(3) A POLICE OFFICER WHO IS SUSPENDED WITHOUT PAY UNDER THIS SUBSECTION IS ENTITLED TO RECEIVE BACK PAY IF AN ADMINISTRATIVE CHARGING COMMITTEE DETERMINES NOT TO ADMINISTRATIVELY CHARGE THE POLICE OFFICER IN CONNECTION WITH THE MATTER ON WHICH THE SUSPENSION IS BASED.

(B) (1) PENDING AN INVESTIGATORY, ADMINISTRATIVE CHARGING COMMITTEE, TRIAL BOARD, AND CRIMINAL PROSECUTION PROCESS, THE CHIEF SHALL IMPOSE AN EMERGENCY SUSPENSION WITHOUT PAY IF THE POLICE OFFICER IN QUESTION IS CRIMINALLY CHARGED WITH:

(i) A FELONY;

(Over)

(II) A MISDEMEANOR COMMITTED IN THE PERFORMANCE OF DUTIES AS A POLICE OFFICER;

(III) A MISDEMEANOR RELATED TO DOMESTIC VIOLENCE; OR

(IV) A MISDEMEANOR INVOLVING DISHONESTY, FRAUD, THEFT, OR MISREPRESENTATION.

(2) A POLICE OFFICER WHO WAS SUSPENDED WITHOUT PAY UNDER THIS SUBSECTION IS ENTITLED TO RECEIVE BACK PAY IF THE POLICE OFFICER IS FOUND NOT GUILTY OF THE CRIMINAL CHARGE OR CHARGES ON WHICH THE SUSPENSION WAS BASED.

(C) THE CHIEF SHALL TERMINATE THE EMPLOYMENT OF A POLICE OFFICER WHO IS CONVICTED OF OR RECEIVES A PROBATION BEFORE JUDGMENT FOR:

(1) A FELONY;

(2) A MISDEMEANOR COMMITTED IN THE PERFORMANCE OF DUTIES AS A POLICE OFFICER;

(3) A MISDEMEANOR RELATED TO DOMESTIC VIOLENCE; OR

(4) A MISDEMEANOR INVOLVING DISHONESTY, FRAUD, THEFT, OR MISREPRESENTATION.

(D) (1) IN CONNECTION WITH A DISCIPLINARY MATTER UNDER THIS SUBTITLE, A POLICE OFFICER MAY BE REQUIRED TO SUBMIT TO BLOOD ALCOHOL

TESTS, BLOOD, BREATH, OR URINE TESTS FOR CONTROLLED DANGEROUS SUBSTANCES, POLYGRAPH EXAMINATIONS, OR INTERROGATIONS THAT SPECIFICALLY RELATE TO THE SUBJECT MATTER OF THE INVESTIGATION.

(2) IF A POLICE OFFICER IS REQUIRED TO SUBMIT TO A TEST, EXAMINATION, OR INTERROGATION DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION AND THE POLICE OFFICER REFUSES TO DO SO, THE LAW ENFORCEMENT AGENCY MAY COMMENCE AN ACTION THAT MAY LEAD TO A PUNITIVE MEASURE AS A RESULT OF THE REFUSAL.

(3) IF A POLICE OFFICER IS REQUIRED TO SUBMIT TO A TEST, EXAMINATION, OR INTERROGATION DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE RESULTS OF THE TEST, EXAMINATION, OR INTERROGATION ARE NOT ADMISSIBLE OR DISCOVERABLE IN A CRIMINAL PROCEEDING AGAINST THE POLICE OFFICER.

(E) IN CONNECTION WITH A DISCIPLINARY MATTER UNDER THIS SUBTITLE, FORFEITURE OF A POLICE OFFICER'S PENSION MAY BE IMPOSED AS A DISCIPLINARY ACTION IN ACCORDANCE WITH § 20-210 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.

3-109.

(A) (1) A LAW ENFORCEMENT AGENCY SHALL DESIGNATE AN EMPLOYEE AS A VICTIMS' RIGHTS ADVOCATE TO ACT AS THE CONTACT FOR THE PUBLIC WITHIN THE AGENCY ON MATTERS RELATED TO POLICE MISCONDUCT.

(2) A VICTIMS' RIGHTS ADVOCATE SHALL:

(Over)

(I) EXPLAIN TO A COMPLAINANT:

1. THE COMPLAINT, INVESTIGATION, ADMINISTRATIVE CHARGING COMMITTEE, AND TRIAL BOARD PROCESS;

2. ANY DECISION TO TERMINATE AN INVESTIGATION;

3. AN ADMINISTRATIVE CHARGING COMMITTEE'S DECISION OF ADMINISTRATIVELY CHARGED, NOT ADMINISTRATIVELY CHARGED, UNFOUNDED, OR EXONERATED; AND

4. A TRIAL BOARD'S DECISION;

(II) PROVIDE A COMPLAINANT WITH AN OPPORTUNITY TO REVIEW A POLICE OFFICER'S STATEMENT BEFORE COMPLETION OF AN INVESTIGATION BY A LAW ENFORCEMENT AGENCY'S INVESTIGATIVE UNIT;

(III) NOTIFY A COMPLAINANT OF THE STATUS OF THE CASE AT EVERY STAGE OF THE PROCESS; AND

(IV) PROVIDE A CASE SUMMARY TO A COMPLAINANT WITHIN 30 DAYS AFTER FINAL DISPOSITION OF THE CASE.

(B) EACH LAW ENFORCEMENT AGENCY SHALL CREATE A DATABASE THAT ENABLES A COMPLAINANT TO ENTER THE COMPLAINANT'S CASE NUMBER TO FOLLOW THE STATUS OF THE CASE AS IT PROCEEDS THROUGH:

(1) INVESTIGATION;

- (2) CHARGING;
- (3) OFFER OF DISCIPLINE;
- (4) TRIAL BOARD;
- (5) ULTIMATE DISCIPLINE; AND
- (6) APPEAL.

(C) (1) THE INVESTIGATING UNIT OF A LAW ENFORCEMENT AGENCY SHALL IMMEDIATELY REVIEW A COMPLAINT BY A MEMBER OF THE PUBLIC ALLEGING POLICE OFFICER MISCONDUCT.

(2) AN ADMINISTRATIVE CHARGING COMMITTEE SHALL REVIEW AND MAKE A DETERMINATION OR ASK FOR FURTHER REVIEW WITHIN 30 DAYS OF COMPLETION OF THE INVESTIGATING UNIT'S REVIEW.

(3) THE PROCESS OF REVIEW BY THE INVESTIGATING UNIT THROUGH DISPOSITION BY THE ADMINISTRATIVE CHARGING COMMITTEE SHALL BE COMPLETED WITHIN 1 YEAR AND 1 DAY AFTER THE FILING OF A COMPLAINT BY A CITIZEN.

3-110.

A POLICE OFFICER WHO IS THE SUBJECT OF A COMPLAINT OF POLICE MISCONDUCT AND A COMPLAINANT HAVE THE RIGHT TO REPRESENTATION IN CONNECTION WITH PROCEEDINGS UNDER THIS SUBTITLE.

(Over)

3-111.

(A) A POLICE OFFICER MAY NOT BE DISCHARGED, DISCIPLINED, DEMOTED, OR DENIED PROMOTION, TRANSFER, OR REASSIGNMENT, OR OTHERWISE DISCRIMINATED AGAINST OR THREATENED IN REGARD TO THE POLICE OFFICER'S EMPLOYMENT BECAUSE THE POLICE OFFICER:

(1) DISCLOSED INFORMATION THAT EVIDENCES:

(I) MISMANAGEMENT;

(II) A WASTE OF GOVERNMENT RESOURCES;

(III) A DANGER TO PUBLIC HEALTH OR SAFETY; OR

(IV) A VIOLATION OF LAW OR POLICY COMMITTED BY ANOTHER POLICE OFFICER; OR

(2) LAWFULLY EXERCISED CONSTITUTIONAL RIGHTS.

(B) A POLICE OFFICER MAY NOT BE DENIED THE RIGHT TO BRING SUIT ARISING OUT OF THE POLICE OFFICER'S OFFICIAL DUTIES.

(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A POLICE OFFICER HAS THE SAME RIGHTS TO ENGAGE IN POLITICAL ACTIVITY AS A STATE EMPLOYEE.

(2) THIS RIGHT TO ENGAGE IN POLITICAL ACTIVITY DOES NOT APPLY WHEN THE POLICE OFFICER IS ON DUTY OR ACTING IN AN OFFICIAL CAPACITY.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A LAW ENFORCEMENT AGENCY MAY NOT PROHIBIT SECONDARY EMPLOYMENT BY POLICE OFFICERS.

(2) A LAW ENFORCEMENT AGENCY MAY ADOPT REASONABLE REGULATIONS THAT RELATE TO SECONDARY EMPLOYMENT BY POLICE OFFICERS.

3-112.

A LAW ENFORCEMENT AGENCY MAY NOT NEGATE OR ALTER ANY OF THE REQUIREMENTS OF THIS SUBTITLE THROUGH COLLECTIVE BARGAINING.

3-113.

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.”.

AMENDMENT NO. 5

On page 8, after line 24, insert:

(Over)

“(a) The Commission has the following powers and duties:

(16) to require, for entrance-level police training and, as determined by the Commission, for in-service level training conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include, consistent with established law enforcement standards and federal and State constitutional provisions:

(i) training in lifesaving techniques, including Cardiopulmonary Resuscitation (CPR);

(ii) training in the proper level and use of force AS SET FORTH IN THE MARYLAND USE OF FORCE STATUTE UNDER § 3-524 OF THIS TITLE;

(iii) training regarding sensitivity to cultural and gender diversity; and

(iv) training regarding individuals with physical, intellectual, developmental, and psychiatric disabilities;”;

in line 27, strike “citizens” and substitute “**INDIVIDUALS**”; in line 28, after “OR” insert “**ADMINISTRATIVE**”; and in line 29, strike “§ 3-525” and substitute “**SUBTITLE 1**”.

On page 9, in line 4, strike “(I)”; in line 6, strike “(II)” and substitute “**(2)**”; in line 9, strike the semicolon and substitute a period; strike in their entirety lines 10 through 20, inclusive; and in line 22, after “BIAS” insert “**, SUBJECT TO THE AVAILABILITY OF IMPLICIT BIAS TESTING STANDARDS THAT ARE GENERALLY ACCEPTED BY EXPERTS IN THE FIELD OF POLICE PSYCHOLOGY**”.

On page 10, in line 27, strike “THE DUTIES OF” and substitute “THE OFFICER’S ASSIGNED DUTIES AS”; and after line 30, insert:

“3-212.

(a) **(1)** Subject to the hearing provisions of subsection (b) of this section, the Commission may suspend or revoke the certification of a police officer if the police officer:

[(1)] (I) violates or fails to meet the Commission’s standards;

(II) VIOLATES THE MARYLAND USE OF FORCE STATUTE UNDER § 3-524 OF THIS TITLE; OR

[(2)] (III) knowingly fails to report suspected child abuse in violation of § 5-704 of the Family Law Article.

(2) THE COMMISSION SHALL REVOKE THE CERTIFICATION OF A POLICE OFFICER WHO WAS:

(I) CONVICTED OF A FELONY;

(II) CONVICTED OF PERJURY OR ANOTHER MISDEMEANOR RELATING TO TRUTHFULNESS AND VERACITY; OR

(III) PREVIOUSLY FIRED OR RESIGNED WHILE BEING INVESTIGATED FOR SERIOUS MISCONDUCT OR USE OF EXCESSIVE FORCE.

(b) (1) Except as otherwise provided in Title 10, Subtitle 2 of the State Government Article, before the Commission takes any final action under subsection

(Over)

[(a)] (A)(1) of this section, the Commission shall give the individual against whom the action is contemplated an opportunity for a hearing before the Commission.

(2) The Commission shall give notice and hold the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) A police officer aggrieved by the findings and order of the Commission may take an appeal as allowed in §§ 10-222 and 10-223 of the State Government Article.

(D) THE COMMISSION SHALL CREATE A STATEWIDE DATABASE TO TRACK POLICE OFFICER DECERTIFICATIONS DUE TO IMPROPER USE OF FORCE.”.

On page 11, after line 11, insert:

“(C) (1) AN INDIVIDUAL WHO APPLIES FOR A POSITION AS POLICE OFFICER SHALL:

(I) UNDER PENALTY OF PERJURY, DISCLOSE TO THE HIRING LAW ENFORCEMENT AGENCY ALL PRIOR INSTANCES OF EMPLOYMENT AS A POLICE OFFICER AT OTHER LAW ENFORCEMENT AGENCIES; AND

(II) AUTHORIZE THE HIRING LAW ENFORCEMENT AGENCY TO OBTAIN THE POLICE OFFICER’S FULL PERSONNEL AND DISCIPLINARY RECORD FROM EACH LAW ENFORCEMENT AGENCY THAT PREVIOUSLY EMPLOYED THE POLICE OFFICER.

(2) THE HIRING LAW ENFORCEMENT AGENCY SHALL CERTIFY TO THE COMMISSION THAT THE LAW ENFORCEMENT AGENCY HAS REVIEWED THE APPLICANT’S DISCIPLINARY RECORD.”;

and in lines 12, 15, and 17, strike “(c)”, “(d)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively.

AMENDMENT NO. 6

On page 15, after line 4, insert:

“(C) A BODY-WORN CAMERA THAT POSSESSES THE TECHNOLOGICAL CAPABILITY SHALL AUTOMATICALLY RECORD AND SAVE AT LEAST 60 SECONDS OF VIDEO FOOTAGE IMMEDIATELY PRIOR TO THE OFFICER ACTIVATING THE RECORD BUTTON ON THE DEVICE.

(D) A LAW ENFORCEMENT AGENCY MAY NOT NEGATE OR ALTER ANY OF THE REQUIREMENTS OR POLICIES ESTABLISHED IN ACCORDANCE WITH THIS SECTION THROUGH COLLECTIVE BARGAINING.

3-514.

(A) Each law enforcement agency shall require a [law enforcement] POLICE officer who was involved in a use of force incident in the line of duty to file an incident report regarding the use of force by the end of the officer’s shift unless the officer is disabled.

(B) (1) ON OR BEFORE MARCH 1 EACH YEAR, EACH LAW ENFORCEMENT AGENCY SHALL SUBMIT TO THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION THE NUMBER OF USE OF FORCE COMPLAINTS MADE AGAINST ITS POLICE OFFICERS DURING THE PREVIOUS CALENDAR YEAR, AGGREGATED BY NUMBERS OF COMPLAINTS ADMINISTRATIVELY CHARGED, NOT CHARGED, UNFOUNDED, AND EXONERATED.

(Over)

(2) ON OR BEFORE JULY 15 EACH YEAR, THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL POST ON ITS WEBSITE AND SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, A COMPENDIUM OF THE INFORMATION SUBMITTED BY LAW ENFORCEMENT AGENCIES UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) IF A LAW ENFORCEMENT AGENCY HAS NOT SUBMITTED THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION BY JULY 1 FOR THE PREVIOUS CALENDAR YEAR, THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES MAY NOT MAKE ANY GRANT FUNDS AVAILABLE TO THAT LAW ENFORCEMENT AGENCY.

3-515.

(a) (1) Except as provided in [subsection (b) of this section] PARAGRAPH (2) OF THIS SUBSECTION, each law enforcement agency shall post all of the official policies of the law enforcement agency, including public complaint procedures and collective bargaining agreements:

[(1)] (I) on the website of the Maryland Police Training and Standards Commission; and

[(2)] (II) on the agency's own website, if the agency maintains a website.

[(b)] (2) A chief may prohibit the posting under this [section] SUBSECTION of administrative or operational policies that if disclosed would jeopardize operations or create a risk to public or officer safety, including policies related to high-risk prisoner

transport security measures, operational response to active shooters, or the use of confidential informants.

(B) EACH LAW ENFORCEMENT AGENCY SHALL POST IN A PROMINENT PUBLIC LOCATION AN EXPLANATION OF THE PROCEDURES FOR FILING:

(1) A COMPLAINT OF POLICE OFFICER MISCONDUCT; AND

(2) A REQUEST TO OBTAIN RECORDS RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER UNDER THE PUBLIC INFORMATION ACT.”.

AMENDMENT NO. 7

On pages 15 and 16, strike in their entirety the lines beginning with line 18 on page 15 through line 20 on page 16, inclusive.

On page 16, strike lines 26 and 27 in their entirety and substitute:

“(2) “DESTRUCTIVE DEVICE” HAS THE MEANING STATED IN § 4-501 OF THE CRIMINAL LAW ARTICLE.

(3) “FIREARM SILENCER” HAS THE MEANING STATED IN § 5-621 OF THE CRIMINAL LAW ARTICLE.”;

and in lines 28 and 30, strike “(3)” and “(4)”, respectively, and substitute “(4)” and “(5)”, respectively.

On page 17, strike in their entirety lines 1 through 4, inclusive, and substitute:

(Over)

“(6) (I) “LETHAL FORCE” MEANS ANY FORCE THAT CREATES A SUBSTANTIAL RISK OF DEATH OR SERIOUS PHYSICAL INJURY, WHETHER OR NOT INTENDED TO CAUSE DEATH OR SERIOUS PHYSICAL INJURY.

(II) “LETHAL FORCE” INCLUDES:

- 1. THE DISCHARGE OF A FIREARM AT A PERSON;**
- 2. A STRIKE TO A PERSON’S HEAD, NECK, STERNUM, SPINE, GROIN, OR KIDNEYS USING ANY HARD OBJECT;**
- 3. A STRIKE TO A PERSON’S HEAD AGAINST A HARD, FIXED OBJECT;**
- 4. A KICK OR STRIKE TO A PERSON’S HEAD USING A KNEE OR FOOT;**
- 5. A STRIKE TO A PERSON’S THROAT;**
- 6. A KNEE-DROP ON THE HEAD, NECK, OR TORSO OF A PERSON IN A PRONE OR SUPINE POSITION;**
- 7. A MANEUVER THAT RESTRICTS BLOOD OR OXYGEN FLOW TO THE BRAIN, INCLUDING CHOKEHOLDS, STRANGLEHOLDS, NECK RESTRAINTS, NECK HOLDS, AND CAROTID ARTERY RESTRAINTS;**
- 8. ANY CONTACT WITH THE NECK THAT MAY INHIBIT BREATHING OR BLOOD FLOW, OR THAT APPLIES PRESSURE TO THE FRONT, SIDE, OR BACK OF THE NECK;**

9. THE DISCHARGE OF A LESS-LETHAL KINETIC IMPACT PROJECTILE LAUNCHER AT A PERSON'S HEAD, NECK, CHEST, OR BACK; AND

10. MORE THAN ONE DISCHARGE OF AN ELECTRONIC CONTROL DEVICE ON A PERSON.

(7) "POLICE OFFICER" MEANS:

(I) A POLICE OFFICER AS DEFINED IN § 3-201 OF THIS TITLE;

OR

(II) A SPECIAL POLICE OFFICER AS DEFINED IN § 3-301 OF THIS TITLE.

(8) "PROPORTIONAL" MEANS NOT EXCESSIVE IN RELATION TO A DIRECT AND LEGITIMATE LAW ENFORCEMENT OBJECTIVE.

(9) "SERIOUS PHYSICAL INJURY" HAS THE MEANING STATED IN § 3-201 OF THE CRIMINAL LAW ARTICLE.

(10) "TOTALITY OF THE CIRCUMSTANCES" MEANS ALL CREDIBLE FACTS KNOWN TO A POLICE OFFICER, OR THAT COULD HAVE BEEN ASCERTAINED BY THE POLICE OFFICER THROUGH VISUAL OBSERVATION, TOUCH, OR AUDIBLE MECHANISMS UNDER THE CIRCUMSTANCES CONFRONTING THE POLICE OFFICER LEADING UP TO AND AT THE TIME OF THE USE OF FORCE, INCLUDING:

(Over)

(I) ACTIONS OF A PERSON AGAINST WHOM THE POLICE OFFICER USES FORCE; AND

(II) ACTIONS OF THE POLICE OFFICER.”.

On page 17, strike in their entirety lines 8 through 11, inclusive, and substitute:

“(2) (I) A POLICE OFFICER MAY NOT USE FORCE AGAINST A PERSON UNLESS THE FORCE IS NECESSARY FORCE AND PROPORTIONAL TO:

1. PREVENT AN IMMINENT THREAT OF PHYSICAL INJURY TO A PERSON; OR

2. EFFECTUATE AN ARREST OF A PERSON WHO THE OFFICER HAS PROBABLE CAUSE TO BELIEVE HAS COMMITTED A CRIME, TAKING INTO CONSIDERATION THE SERIOUSNESS OF THE ALLEGED CRIME.

(II) A POLICE OFFICER MAY USE FORCE ONLY AFTER EXHAUSTING REASONABLE ALTERNATIVES TO THE USE OF FORCE, AND ONLY UNTIL THE USE OF FORCE ACCOMPLISHES A LEGITIMATE LAW ENFORCEMENT OBJECTIVE.

(III) A POLICE OFFICER SHALL CEASE THE USE OF FORCE AS SOON AS:

1. THE PERSON ON WHOM FORCE IS USED:

A. IS UNDER THE POLICE OFFICER’S CONTROL; OR

B. NO LONGER POSES AN IMMINENT THREAT OF PHYSICAL INJURY OR DEATH TO THE POLICE OFFICER OR TO ANOTHER PERSON; OR

2. THE POLICE OFFICER DETERMINES THAT FORCE WILL NO LONGER ACCOMPLISH, OR IS NO LONGER REASONABLE AND PROPORTIONAL TO ACCOMPLISH, A LEGITIMATE LAW ENFORCEMENT OBJECTIVE.

(3) A POLICE OFFICER MAY NOT USE LETHAL FORCE AGAINST A PERSON UNLESS:

(I) LETHAL NECESSARY FORCE IS USED AS A LAST RESORT TO PREVENT IMMINENT THREAT OF DEATH OR SERIOUS PHYSICAL INJURY TO THE POLICE OFFICER OR ANOTHER PERSON;

(II) THE USE OF LETHAL FORCE PRESENTS NO SUBSTANTIAL RISK OF INJURY TO A THIRD PERSON; AND

(III) ALL REASONABLE ALTERNATIVES TO THE USE OF DEADLY FORCE HAVE BEEN EXHAUSTED.”.

On page 17, in lines 12, 23, and 28, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(4)”, “(5)”, and “(6)”, respectively; and strike beginning with “OBJECTIVELY” in line 17 down through “CIRCUMSTANCES” in line 18 and substitute “AUTHORIZED UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION”.

On page 18, in lines 3 and 26, strike “(6)” and “(10)”, respectively, and substitute “(7)” and “(9)”, respectively; in line 4, after “ON” insert “WHEN A POLICE OFFICER MAY OR MAY NOT DRAW A FIREARM OR POINT A FIREARM AT A PERSON AND”; in

(Over)

line 6, after “TRAINING” insert “, DE-ESCALATION TACTICS AND TECHNIQUES, AND REASONABLE ALTERNATIVES TO DECREASE PHYSICAL INJURY”; strike in their entirety lines 10 through 12, inclusive; strike in their entirety lines 18 through 25, inclusive; and strike beginning with “ACQUIRE” in line 26 down through “VEHICLE” in line 27 and substitute “RECEIVE THE FOLLOWING, WHETHER ASSEMBLED OR IN PARTS, FROM A SURPLUS PROGRAM:”

(I) AN ARMORED OR WEAPONIZED:

1. AIRCRAFT;

2. DRONE; OR

3. VEHICLE;

(II) A DESTRUCTIVE DEVICE;

(III) A FIREARM SILENCER; OR

(IV) A GRENADE LAUNCHER”.

On pages 18 and 19, strike in their entirety the lines beginning with line 28 on page 18 through line 9 on page 19, inclusive, and substitute:

“(D) (1) A POLICE OFFICER WHO USES LETHAL FORCE AGAINST A PERSON IN A MANNER INCONSISTENT WITH SUBSECTION (C)(2) OR (3) OF THIS SECTION THAT RESULTS IN DEATH MAY BE CHARGED WITH MANSLAUGHTER OR MURDER UNDER TITLE 2, SUBTITLE 2 OF THE CRIMINAL LAW ARTICLE.

(2) A POLICE OFFICER WHO USES LETHAL FORCE AGAINST A PERSON IN A MANNER INCONSISTENT WITH SUBSECTION (C)(2) OR (3) OF THIS SECTION THAT DOES NOT RESULT IN DEATH MAY BE CHARGED WITH RECKLESS ENDANGERMENT OR ASSAULT UNDER TITLE 3, SUBTITLE 2 OF THE CRIMINAL LAW ARTICLE.

(E) (1) A PERSON MAY SEEK RELIEF BY FILING WITH ANY COURT OF COMPETENT JURISDICTION A CIVIL ACTION FOR DAMAGES ARISING OUT OF THE USE OF FORCE BY A POLICE OFFICER IN A MANNER INCONSISTENT WITH SUBSECTION (C)(2) OR (3) OF THIS SECTION.

(2) A PERSON IS NOT LIMITED TO OR PRECLUDED FROM PURSUING ANY OTHER LEGAL REMEDY BY PROCEEDING UNDER THIS SUBTITLE.”.

On page 19, in line 13, after “EACH” insert “YEAR”.

AMENDMENT NO. 8

On pages 19 through 23, strike in their entirety the lines beginning with line 20 on page 19 through line 13 on page 23, inclusive, and substitute:

“Article – State Personnel and Pensions

20–210.

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

(2) “ACCUMULATED CONTRIBUTIONS” MEANS THE AMOUNTS CREDITED, INCLUDING INTEREST, TO A LAW ENFORCEMENT OFFICER’S

(Over)

INDIVIDUAL ACCOUNT IN THE STATE POLICE RETIREMENT SYSTEM, THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, OR A LOCAL PENSION SYSTEM.

(3) "FINAL ADJUDICATION" MEANS FINAL DISPOSITION OF ALL CHARGES THAT CONSTITUTE A QUALIFYING CRIME FROM WHICH NO FURTHER RIGHT TO APPEAL OR REVIEW EXISTS.

(4) "LAW ENFORCEMENT OFFICER" MEANS AN INDIVIDUAL WHO IS A MEMBER, FORMER MEMBER, OR RETIREE OF:

(I) THE STATE POLICE RETIREMENT SYSTEM;

(II) THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM;

OR

(III) A LOCAL PENSION SYSTEM FOR EMPLOYMENT AS A SWORN LAW ENFORCEMENT OFFICER.

(5) "QUALIFYING CRIME" MEANS ANY OF THE FOLLOWING CRIMINAL OFFENSES THAT WERE COMMITTED IN THE COURSE OF THE PERFORMANCE OF A LAW ENFORCEMENT OFFICER'S DUTIES:

(I) A FELONY; OR

(II) PERJURY OR ANOTHER MISDEMEANOR RELATING TO TRUTHFULNESS AND VERACITY.

(B) THIS SECTION DOES NOT APPLY TO:

- (1) ACCUMULATED CONTRIBUTIONS MADE BEFORE JULY 1, 2022;
- (2) ANY SERVICE EARNED BEFORE JULY 1, 2022; OR
- (3) A QUALIFYING CRIME COMMITTED BEFORE JULY 1, 2022.

(C) BENEFITS UNDER THIS DIVISION II OF THIS ARTICLE OR A LOCAL PENSION SYSTEM PAYABLE TO A LAW ENFORCEMENT OFFICER ARE SUBJECT TO FORFEITURE IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SECTION IF THE LAW ENFORCEMENT OFFICER IS FOUND GUILTY OF, PLEADS GUILTY TO, OR ENTERS A PLEA OF NOLO CONTENDERE TO A QUALIFYING CRIME.

(D) (1) IF THE FINAL ADJUDICATION OF CHARGES RESULTS IN CONVICTION OF A LAW ENFORCEMENT OFFICER, THE LAW ENFORCEMENT OFFICER'S RETIREMENT ALLOWANCE MAY BE FORFEITED IN WHOLE OR IN PART IN ACCORDANCE WITH THIS SECTION.

(2) ON CONVICTION OF A LAW ENFORCEMENT OFFICER, THE ATTORNEY GENERAL OR THE STATE'S ATTORNEY SHALL FILE A COMPLAINT IN CIRCUIT COURT TO FORFEIT THE LAW ENFORCEMENT OFFICER'S BENEFITS IN WHOLE OR IN PART.

(E) THE COURT MAY ENTER AN ORDER REQUIRING THE FORFEITURE, IN WHOLE OR IN PART, OF THE LAW ENFORCEMENT OFFICER'S BENEFITS IF THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT:

(1) THE LAW ENFORCEMENT OFFICER WAS CONVICTED OF A QUALIFYING CRIME;

(2) THE LAW ENFORCEMENT OFFICER WAS A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM, THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, OR A LOCAL PENSION SYSTEM; AND

(3) THE QUALIFYING CRIME FOR WHICH THE LAW ENFORCEMENT OFFICER WAS CONVICTED WAS COMMITTED WHILE THE LAW ENFORCEMENT OFFICER WAS AN ACTIVE MEMBER OF THE STATE POLICE RETIREMENT SYSTEM, THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, OR A LOCAL PENSION SYSTEM.

(F) (1) AN ORDER REQUIRING FORFEITURE OF BENEFITS SHALL INDICATE THE AMOUNT OF BENEFITS TO BE FORFEITED.

(2) WHEN DETERMINING THE AMOUNT OF BENEFITS TO BE FORFEITED, THE COURT SHALL CONSIDER:

(I) THE SEVERITY OF THE CRIME;

(II) THE AMOUNT OF MONETARY LOSS SUFFERED BY THE STATE, A COUNTY, A POLITICAL SUBDIVISION, OR A PERSON AS A RESULT OF THE CRIME;

(III) THE DEGREE OF PUBLIC TRUST PLACED IN THE LAW ENFORCEMENT OFFICER; AND

(IV) ANY OTHER FACTORS THE COURT DETERMINES RELEVANT.

(G) A COURT MAY ORDER A LAW ENFORCEMENT OFFICER SUBJECT TO A FORFEITURE ORDER ISSUED UNDER THIS SECTION TO REQUEST A RETURN OF THE LAW ENFORCEMENT OFFICER’S ACCUMULATED CONTRIBUTIONS, IN WHOLE OR IN PART, TO BE USED FOR RESTITUTION RELATING TO A QUALIFYING CRIME.”.

AMENDMENT NO. 9

On page 23, in lines 14, 19, and 27, strike “5.”, “6.”, and “7.”, respectively, and substitute “7.”, “10.”, and “11.”, respectively; after line 18, insert:

“SECTION 8. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any claim arising from a tortious act or omission committed by a law enforcement officer on or before September 30, 2021.

SECTION 9. AND BE IT FURTHER ENACTED, That Section 5 of this Act shall be construed to apply prospectively to any Public Information Act request made on or after the effective date of this Act regardless of when the record requested to be produced was created.”;

in line 19, strike “4” and substitute “6”; in line 23, strike “September 30, 2021” and substitute “June 30, 2022”; and in line 26, strike “the effective date of this Act” and substitute “July 1, 2022”.

On page 24, after line 1, insert:

“SECTION 12. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Maryland Higher Education Commission adopt similar regulations for determining award calculations for the Maryland Police Officers Repayment Program under Title 18, Subtitle 38 of the Education Article as the award calculation regulations in COMAR 13B.08.02.06 for the Janet L. Hoffman Loan Assistance Repayment Program under Title 18, Subtitle 15 of the Education Article.”;

(Over)

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in line 2, strike “8.” and substitute “13.”; in the same line, after “That” insert “Sections 1, 2, and 6 of”; and strike line 3 in its entirety and substitute “July 1, 2022.”

SECTION 14. AND BE IT FURTHER ENACTED, That, except as provided in Section 13 of this Act, this Act shall take effect October 1, 2021.”.