

**SB0600/602810/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 600  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Office of the State Prosecutor –” and substitute “Surplus Military Equipment and”; in the same line, strike “and Prosecution”; in line 5, after “of” insert “prohibiting a law enforcement agency from receiving certain equipment from a certain surplus program;”; and strike beginning with “certain” in line 13 down through “of” in line 25 and substitute “certain law enforcement agency to notify the Independent Investigative Unit within the Office of the Attorney General of a certain incident involving the death of a person caused by a police officer at a certain time; requiring a law enforcement agency to cooperate with the Independent Investigative Unit in connection with a certain investigation; establishing the Independent Investigative Unit within the Office of the Attorney General; requiring the Independent Investigative Unit to investigate certain incidents involving the death of a person caused by a police officer; requiring the Independent Investigative Unit to transmit a certain report to a certain State’s Attorney at a certain time; authorizing the Independent Investigative Unit to detail certain police officers and employ certain personnel for a certain purpose; requiring the Governor to annually include certain funding in the State budget; providing that certain funds shall supplement and may not supplant certain other funding; defining certain terms”.

On page 2, in line 1, strike “a certain provision”; and strike beginning with the first “the” in line 1 down through “Prosecutor.” in line 2 and substitute “surplus military equipment and investigation of deaths caused by police officers.”

BY repealing and reenacting, with amendments

Article – Public Safety

Section 3–521

Annotated Code of Maryland

(Over)

**SB0600/602810/1 House Judiciary Committee**  
**Amendments to SB 600**  
**Page 2 of 6**

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety

Section 3–523

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 26, insert:

**“Article – Public Safety**

3–521.

(a) (1) In this section the following words have the meanings indicated.

(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.**

~~[(2)]~~ (4) “Law enforcement agency” has the meaning stated in § 3–201 of this title.

~~[(3)]~~ (5) “Surplus program” means a program operated by the federal government for the transfer of surplus military equipment to a law enforcement agency.

(b) On or before February 1 each year, the Department of State Police shall submit a report on the acquisition of equipment by law enforcement agencies through

surplus programs within the preceding calendar year to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(c) The Department of State Police shall include in a prominent location on its public website a link to the Defense Logistics Agency's report listing excess Department of Defense property transfers to law enforcement agencies through the Law Enforcement Support Office.

**(D) A LAW ENFORCEMENT AGENCY MAY NOT RECEIVE THE FOLLOWING EQUIPMENT FROM A SURPLUS PROGRAM:**

**(1) A WEAPONIZED:**

**(I) AIRCRAFT;**

**(II) DRONE; OR**

**(III) VEHICLE;**

**(2) A DESTRUCTIVE DEVICE;**

**(3) A FIREARM SILENCER; OR**

**(4) A GRENADE LAUNCHER.**

**3-523.**

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

(Over)

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

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

**(B) A LAW ENFORCEMENT AGENCY SHALL NOTIFY THE INDEPENDENT INVESTIGATIVE UNIT WITHIN THE OFFICE OF THE ATTORNEY GENERAL OF ANY ALLEGED OR POTENTIAL INCIDENT INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER AS SOON AS THE LAW ENFORCEMENT AGENCY BECOMES AWARE OF THE INCIDENT.**

**(C) A LAW ENFORCEMENT AGENCY SHALL COOPERATE WITH THE INDEPENDENT INVESTIGATIVE UNIT IN CONNECTION WITH THE INVESTIGATION OF AN INCIDENT INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER.”.**

**AMENDMENT NO. 3**

On page 3, after line 15, insert:

**“(B) THERE IS AN INDEPENDENT INVESTIGATIVE UNIT WITHIN THE OFFICE OF THE ATTORNEY GENERAL.**

**(C) THE INDEPENDENT INVESTIGATIVE UNIT SHALL INVESTIGATE ALL ALLEGED OR POTENTIAL INCIDENTS INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER.**

**(D) WITHIN 15 DAYS AFTER COMPLETING AN INVESTIGATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE INDEPENDENT INVESTIGATIVE**

UNIT SHALL TRANSMIT A CONFIDENTIAL REPORT TO THE STATE'S ATTORNEY OF THE COUNTY THAT HAS JURISDICTION TO PROSECUTE THE MATTER THAT:

(1) CONTAINS DETAILED INVESTIGATIVE FINDINGS; AND

(2) INDICATES THAT:

(i) THE INDEPENDENT INVESTIGATIVE UNIT FINDS THAT A CRIME HAS BEEN COMMITTED AND THAT PROSECUTION OF THE MATTER IS RECOMMENDED;

(ii) THE INDEPENDENT INVESTIGATIVE UNIT FINDS THAT A CRIME HAS NOT BEEN COMMITTED; OR

(iii) THE INDEPENDENT INVESTIGATIVE UNIT DOES NOT RECOMMEND PROSECUTION.

(E) TO INVESTIGATE AND ASSIST WITH THE INVESTIGATION OF ALLEGED CRIMINAL OFFENSES COMMITTED BY POLICE OFFICERS, THE INDEPENDENT INVESTIGATIVE UNIT MAY:

(1) DETAIL ONE OR MORE POLICE OFFICERS EMPLOYED BY THE DEPARTMENT OF STATE POLICE; AND

(2) EMPLOY OTHER CIVILIAN PERSONNEL AS NEEDED.

(Over)

**(F) (1) THE GOVERNOR ANNUALLY SHALL INCLUDE FUNDING IN THE STATE BUDGET SUFFICIENT TO PROVIDE FOR THE FULL AND PROPER OPERATION OF THE INDEPENDENT INVESTIGATIVE UNIT.**

**(2) FUNDS PROVIDED IN ACCORDANCE WITH THIS SUBSECTION SHALL SUPPLEMENT AND MAY NOT SUPPLANT ANY OTHER FUNDING PROVIDED TO THE INDEPENDENT INVESTIGATIVE UNIT.”.**

On pages 3 through 5, strike in their entirety the lines beginning with line 25 on page 3 through line 12 on page 5, inclusive, and substitute:

**“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.”.**