

**HB1023/883125/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1023  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “requiring the Department of State Police to collect, analyze, and disseminate, and law enforcement agencies to submit to the Department of State Police, certain information about law enforcement employees; altering the information that law enforcement agencies are required to submit to the Maryland Police Training and Standards Commission related to serious officer-involved incidents; specifying the required contents of a certain use of force incident report; altering the date by which law enforcement agencies are required to submit to the Commission certain data related to police officers’ use of force;”; in line 5, strike “Maryland Police Training and Standards”; in line 9, after “year;” insert “requiring the Department of Legislative Services and the Department of State Police to enter into a certain memorandum of understanding related to a data sharing agreement for information contained in certain reports, a certain work plan, and an update on the status of compliance by law enforcement agencies with the National Incident-Based Reporting System;”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Public Safety

Section 2–307(a) and 3–207(b)(1)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 3–201(a) and (b)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

HB1023/883125/01 Appropriations Committee  
Amendments to HB 1023  
Page 2 of 6

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–514(a) and (b)(1)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

(As enacted by Chapter 59 of the Acts of the General Assembly of 2021)”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“Article – Public Safety

2–307.

(a) **(1)** The Department shall collect, analyze, and disseminate:

**(I)** information about the incidence of crime in the State; AND

**(II)** INFORMATION, INCLUDING RACE AND SEX, ON THE  
TOTAL NUMBER OF LAW ENFORCEMENT EMPLOYEES, DE-IDENTIFIED AND  
DISAGGREGATED BY:

**1.** POSITION FOR CIVILIAN EMPLOYEES; AND

**2.** RANK FOR SWORN EMPLOYEES.

**(2)** EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE THE  
DEPARTMENT WITH THE INFORMATION DESCRIBED IN PARAGRAPH (1) OF THIS  
SUBSECTION IN THE FORMAT THAT THE SECRETARY REQUIRES.

HB1023/883125/01 Appropriations Committee  
Amendments to HB 1023  
Page 3 of 6

3-201.

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

(b) “Commission” means the Maryland Police Training and Standards Commission.

3-207.

(b) (1) The Commission shall develop a system by which law enforcement agencies report to the Commission [on the number of serious officer-involved incidents each year, the number of officers disciplined each year, and the type of discipline administered to those officers] EACH SERIOUS OFFICER-INVOLVED INCIDENT EACH YEAR, INCLUDING FOR EACH INCIDENT:

(I) THE NUMBER OF OFFICERS INVOLVED BY RACE, ETHNICITY, AND SEX;

(II) THE NUMBER OF OFFICERS DISCIPLINED BY RACE, ETHNICITY, AND SEX; AND

(III) THE TYPE OF DISCIPLINE ADMINISTERED TO EACH OFFICER, BY THE OFFICER’S RACE, ETHNICITY, AND SEX.”;

and in line 25, strike “ELECTRONIC FORMAT” and substitute “THE FORM OF ELECTRONIC RAW DATA”.

On pages 2 through 4, strike in their entirety the lines beginning with line 3 on page 2 through line 5 on page 4, inclusive, and substitute:

(Over)

“(B) (1) ON OR BEFORE NOVEMBER 30 EACH YEAR, THE DEPARTMENT OF STATE POLICE SHALL SUBMIT TO THE DEPARTMENT, IN A FORMAT THAT THE EXECUTIVE DIRECTOR REQUIRES, THE INFORMATION COLLECTED IN ACCORDANCE WITH § 2-307(A)(2) OF THE PUBLIC SAFETY ARTICLE.

(2) ON OR BEFORE AUGUST 1, 2022, THE DEPARTMENT OF STATE POLICE AND THE DEPARTMENT SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING, THE TERMS OF WHICH SHALL INCLUDE:

(I) A DATA SHARING AGREEMENT FOR ALL INFORMATION COLLECTED IN ACCORDANCE WITH § 2-307 OF THE PUBLIC SAFETY ARTICLE;

(II) A WORK PLAN FOR ACCESS TO COLLECTED DATA FOR RESEARCH AND STATISTICAL ANALYSIS PURPOSES;

(III) A LISTING OF ALL DATA FIELDS COLLECTED FOR THE CRIME IN MARYLAND REPORT AND THE HATE BIAS REPORT; AND

(IV) AN UPDATE ON THE STATUS OF COMPLIANCE WITH THE NATIONAL INCIDENT-BASED REPORTING SYSTEM BY LAW ENFORCEMENT AGENCIES IN THE STATE.”.

On page 4, in line 8, strike “ELECTRONIC FORMAT” and substitute “THE FORM OF ELECTRONIC RAW DATA”; in line 10, strike “(I)”; strike in their entirety lines 13 through 22, inclusive; in line 23, strike “(I)”; and in line 24, strike “; AND” and substitute a period.

On pages 4 and 5, strike in their entirety the lines beginning with line 25 on page 4 through line 4 on page 5, inclusive.

On page 5, in line 7, strike “ELECTRONIC FORMAT” and substitute “**THE FORM OF ELECTRONIC RAW DATA**”; in line 11, strike “JULY” and substitute “**AUGUST**”; and strike in their entirety lines 24 and 25 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article – Public Safety**

3–514.

(a) **(1) Each law enforcement agency shall require a 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.**

**(2) THE INCIDENT REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:**

**(I) THE TYPE OF ENCOUNTER;**

**(II) THE TYPE OF FORCE USED;**

**(III) THE LOCATION OF THE INCIDENT WHERE FORCE WAS USED;**

**(IV) WHETHER THE INDIVIDUAL AGAINST WHOM FORCE WAS USED WAS ARRESTED;**

**(V) WHAT CHARGES, IF ANY, FOR WHICH THE INDIVIDUAL AGAINST WHOM FORCE WAS USED WAS ARRESTED;**

(Over)

(VI) WHETHER THE INDIVIDUAL AGAINST WHOM FORCE WAS USED REQUESTED OR REQUIRED MEDICAL CARE;

(VII) WHETHER THE LAW ENFORCEMENT OFFICER REQUESTED OR REQUIRED MEDICAL CARE; AND

(VIII) DEMOGRAPHIC INFORMATION ABOUT ANY INDIVIDUALS AGAINST WHOM FORCE WAS USED AND ANY LAW ENFORCEMENT OFFICER INVOLVED IN THE INCIDENT, INCLUDING RACE, ETHNICITY, GENDER, AND AGE.

(b) (1) On or before [March 1] JULY 1, 2023, AND JULY 1 each year THEREAFTER, 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] AGGREGATE DATA OF POLICE OFFICERS' USE OF FORCE REPORTED IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION FOR the previous calendar year, aggregated by numbers of complaints administratively charged, not charged, unfounded, and exonerated.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2022, the effective date of Chapter 59 of the Acts of the General Assembly of 2021. If the effective date of Chapter 59 is amended, Section 2 of this Act shall take effect on the taking effect of Chapter 59.

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect July 1, 2022.”.