A BILL ENTITLED

AN ACT concerning

State Government – Legislative Complex – Authority, Operation, and Maintenance

FOR the purpose of establishing that the presiding officers of the General Assembly have full and final authority over the State legislative buildings in the City of Annapolis, including managing daily operations and maintenance; requiring that certain appropriations be transferred to the General Assembly on a certain date; providing for the transfer of certain functions, powers, duties, property, records, fixtures, credits, assets, liability, obligations, rights, and privileges; requiring that certain employees of the Department of General Services be transferred to the General Assembly without diminution of their rights, benefits, employment, or retirement status; requiring that certain positions at the Department be transferred to the General Assembly; providing for the continuity of certain transactions affected by or flowing from this Act; providing for the continuity of certain laws, regulations, standards and guidelines, policies, orders and other directives, forms, plans, membership, contracts, property, investigations, administrative and judicial responsibilities, rights, and other duties and responsibilities; and generally relating to the State legislative complex.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 4–601 and 4–605
Annotated Code of Maryland
(2021 Replacement Volume)

BY adding to

Article – State Government
Section 2–109
Annotated Code of Maryland
(2021 Replacement Volume)
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Finance and Procurement

4–601.

(a) [Subject to] EXCEPT AS PROVIDED IN subsection (b) of this section, the
Department has jurisdiction over and full police authority for the enforcement of the
criminal laws and the parking and motor vehicle laws as to the operation, maintenance,
and protection of:

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

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

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

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

(5) State–owned or State–leased buildings and grounds and extending to
the surrounding area that encompasses 1,000 feet in any direction from the boundary of
those buildings and grounds; and

(6) other public improvements or grounds designated by law or by the
Board of Public Works.

(b) [Consistent with Article 8 of the Maryland Declaration of Rights, with
respect] THIS SUBTITLE DOES NOT APPLY to State legislative buildings in the City of
Annapolis[, the presiding officers of the General Assembly shall have final authority over
the use of and access to the buildings by the members of the General Assembly, their staff,
and Department of Legislative Services personnel].

4–605.

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

(2) (i) The Secretary shall appoint the Chief of the Maryland Capitol Police of the Department of General Services.

(ii) The Chief of the Maryland Capitol Police of the Department of General Services serves at the pleasure of the Secretary.

(iii) The Chief of the Maryland Capitol Police of the Department of General Services shall supervise and direct the affairs and operations of the Maryland Capitol Police.

(3) The Maryland Capitol Police of the Department of General Services may include sworn police officers.

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

(c) Subject to subsection (d) of this section, a Maryland Capitol Police officer has all the powers granted to a peace officer and a police officer of the State.

(d) A Maryland Capitol Police officer may exercise the powers described in subsection (c) of this section within the Department’s jurisdiction as specified in § 4–601 of this subtitle OR AS DESCRIBED UNDER § 2–109 OF THE STATE GOVERNMENT ARTICLE provided the police officer:

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

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

Article – State Government

2–109.

THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY SHALL HAVE FULL AND FINAL AUTHORITY OVER THE STATE LEGISLATIVE BUILDINGS IN THE CITY OF ANNAPOLIS, INCLUDING MANAGING DAILY OPERATIONS AND MAINTENANCE, INCLUDING:

(1) KEEPING A COMPLETE INVENTORY OF MOVABLE PROPERTY USED IN THE BUILDINGS;
(2) SUPERVISING UTILITY AND SANITATION SERVICES AND FIRE AND SAFETY SYSTEMS;

(3) SUPERVISING REPAIRS AND OTHER WORK;

(4) LANDSCAPING;

(5) PURCHASING CARPETS, EQUIPMENT, FURNITURE, AND SUPPLIES;

AND

(6) THE FOLLOWING RESPONSIBILITIES, WHICH SHALL BE CONDUCTED ON BEHALF OF THE PRESIDING OFFICERS BY THE MARYLAND CAPITOL POLICE OF THE DEPARTMENT OF GENERAL SERVICES IN CONSULTATION WITH THE DEPARTMENT OF STATE POLICE LEGISLATIVE SECURITY SECTION:

(i) PROTECTING PERSONS AND PROPERTY, INCLUDING DISPERSING ANY ASSEMBLAGE THAT IS UNLAWFUL, IS DANGEROUS, OR OBSTRUCTS FREE PASSAGE;

(ii) PRESERVING AND PROTECTING THE PUBLIC PEACE, HEALTH, AND SAFETY; AND

(iii) CONTROLLING PEDESTRIAN AND VEHICULAR TRAFFIC, INCLUDING ESTABLISHING SPEED LIMITS AND PARKING AND IMPOUNDMENT REGULATIONS FOR PARKING GARAGES, ROADS, AND SIDEWALKS THAT ARE ON THE GROUNDS OF THE STATE LEGISLATIVE BUILDINGS.

SECTION 2. AND BE IT FURTHER ENACTED, That, on the effective date of this Act, the following shall be transferred to the General Assembly:

(1) all appropriations, including State and federal funds, held by the Department of General Services for the purposes of overseeing the State legislative buildings in the City of Annapolis on the effective date of this Act; and

(2) all books and records (including electronic records, real and personal property, equipment, fixtures, assets, liabilities, obligations, credits, rights, and privileges held by the Department of General Services related to overseeing the State legislative buildings in the City of Annapolis on the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That all employees of the Department of General Services who are assigned more than 50% of the time to a function related to overseeing the State legislative buildings in the City of Annapolis on the effective date of this Act shall be transferred to the General Assembly without diminution of their rights, benefits, employment, or retirement status.
SECTION 4. AND BE IT FURTHER ENACTED, That all positions of the Department of General Services who are assigned more than 50% of the time to a function related to overseeing the State legislative buildings in the City of Annapolis on the effective date of this Act shall be transferred to the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That any transaction affected by the transfer of oversight of the State legislative buildings in the City of Annapolis and validly entered into before the effective date of this Act, and every right, duty, or interest flowing from it remains valid after the effective date of this Act and may be terminated, completed, consummated, or enforced under the law.

SECTION 6. AND BE IT FURTHER ENACTED, That all existing laws, regulations, proposed regulations, standards and guidelines, policies, orders and other directives, forms, plans, memberships, contracts, property, investigations, administrative and judicial responsibilities, rights to sue and be sued, and all other duties and responsibilities associated with the oversight of the State legislative buildings in the City of Annapolis prior to the effective date of this Act shall continue and, as appropriate, are legal and binding on the General Assembly until completed, withdrawn, canceled, modified, or otherwise changed under the law.

SECTION 7. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.