SENATE BILL 949

E4, F2 2lr2105

By: Senator Smith Senator Elfreth

Introduced and read first time: February 13, 2022

Assigned to: Rules

Re-referred to: Judicial Proceedings, February 21, 2022

Committee Report: Favorable with amendments Senate action: Adopted with floor amendments

Read second time: March 22, 2022

CHAPTER _____

1 AN ACT concerning

2

3

Police Officers - Education Requirements - Certification and Scholarships Scholarships and Police Officer Recruitment

- 4 FOR the purpose of establishing certain degree requirements for certification and 5 recertification as a police officer; requiring law enforcement agencies to provide 6 work-related administrative leave to certain police officers and to develop and 7 implement certain recruitment policies; expanding the Edward T. Conroy and Mary 8 A. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial 9 Scholarship Program to include certain postsecondary institutions outside the State 10 as eligible institutions that may award scholarships under the programs; establishing the Continuing Education for Police Officers Scholarship, the Police 11 Officers Educational Benefit Scholarship \(\frac{1}{2} \) I and the Police Officers Educational 12 Benefit Scholarship II; and generally relating to police officer certification 13 14 recruitment and scholarships.
- 15 BY repealing and reenacting, without amendments,
- 16 Article Public Safety
- 17 Section 3–201(a) and (b) and 3–209(a)(3) and (4) and (b)
- 18 Annotated Code of Maryland
- 19 (2018 Replacement Volume and 2021 Supplement)
- 20 BY repealing and reenacting, with amendments,
- 21 Article Public Safety
- 22 Section 3–207(a)(20) and 3–209(a)(3) and (4) and (b)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

$\frac{1}{2}$	Annotated Code of Maryland (2018 Replacement Volume and 2021 Supplement)		
3 4 5 6 7	BY adding to Article – Public Safety Section 3–209(a)(4) and 3–209.3 Annotated Code of Maryland (2018 Replacement Volume and 2021 Supplement)		
8 9 10 11 12	BY repealing and reenacting, without amendments, Article – Education Section 18–101(a), (b), and (c), 18–103, and 18–601 Annotated Code of Maryland (2018 Replacement Volume and 2021 Supplement)		
13 14 15 16 17	BY repealing and reenacting, with amendments, Article – Education Section 18–103 and 18–601 Annotated Code of Maryland (2018 Replacement Volume and 2021 Supplement)		
18 19 20 21 22 23	Article – Education Section 18–3901 through 18–3905 <u>18–3904</u> to be under the new subtitle "Subtitle 39. Scholarships for Police Officers and Their Dependents" Annotated Code of Maryland		
$24 \\ 25$			
26	Article - Public Safety		
27	3–201.		
28	(a) In this subtitle the following words have the meanings indicated.		
29 30	(b) "Commission" means the Maryland Police Training and Standards Commission.		
31	3–207.		
32	(a) The Commission has the following powers and duties:		
33 34	(20) (I) to evaluate and modernize recruitment standards and practices of law enforcement agencies to increase diversity within those law enforcement agencies		

- 1 and develop strategies for recruiting women and African American, Hispanic or Latino, and other minority candidates; AND 2 3 (II)TO REQUIRE LAW ENFORCEMENT AGENCIES TO DEVELOP AND IMPLEMENT POLICIES FOR RECRUITMENT AT HISTORICALLY BLACK COLLEGES 4 5 AND UNIVERSITIES IN THE STATE; 6 3-209. 7 The Commission shall certify as a police officer each individual who: (a) 8 (3)submits to a criminal history records check in accordance with § 9 3–209.1 of this subtitle; **f**and 10 HOLDS AN ASSOCIATE'S OR BACHELOR'S DEGREE IN ACCORDANCE 11 WITH § 3-209.3 OF THIS SUBTITLE; AND 12 **f**(4)**f** (5) (i) is a United States citizen; or 13 subject to subsection (b) of this section, is a permanent legal 14 resident of the United States and an honorably discharged veteran of the United States 15 armed forces, provided that the individual has applied to obtain United States citizenship and the application is still pending approval. 16 17 (b) The certification of a police officer who fails to obtain United States citizenship as required by subsection $\{(a)(4)(ii)\}$ $\{(A)(5)(H)\}$ of this section shall be 18 terminated by the Commission. 19 A POLICE OFFICER WHO FAILS TO OBTAIN A BACHELOR'S DEGREE 20 IN ACCORDANCE WITH § 3-209.3 OF THIS SUBTITLE MAY NOT BE RECERTIFIED BY 21THE COMMISSION. 22 23 3-209.3.24(A) IN THIS SECTION. "APPLICANT" MEANS AN INDIVIDUAL WHO IS SEEKING 25 CERTIFICATION AS A POLICE OFFICER. 26(B) AN APPLICANT FOR CERTIFICATION AS A POLICE OFFICER SHALL AT 27 MINIMUM HOLD AN ASSOCIATE DEGREE.
- 30 (D) EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE REASONABLE
 31 WORK RELATED ADMINISTRATIVE LEAVE, AS PROVIDED IN § 2-410 OF THIS

WITHIN 6 YEARS OF BEING CERTIFIED.

A POLICE OFFICER SHALL AT MINIMUM HOLD A BACHELOR'S DEGREE

28

- 1 ARTICLE, TO A POLICE OFFICER WHO IS ATTEMPTING TO SATISFY THE DEGREE
- 2 REQUIREMENT UNDER SUBSECTION (C) OF THIS SECTION.
- 3 (E) (1) ON OR BEFORE APRIL 1, 2023, AND EACH YEAR THEREAFTER,
- 4 EACH LAW ENFORCEMENT AGENCY SHALL REPORT TO THE GOVERNOR'S OFFICE OF
- 5 CRIME PREVENTION, YOUTH, AND VICTIM SERVICES ON THE EDUCATION LEVEL OF
- 6 ALL POLICE OFFICERS EMPLOYED BY THE AGENCY.
- 7 (2) (B) THE GOVERNOR'S OFFICE OF CRIME PREVENTION,
- 8 YOUTH, AND VICTIM SERVICES SHALL COMPILE THE INFORMATION REPORTED BY
- 9 THE LOCAL LAW ENFORCEMENT AGENCIES UNDER PARAGRAPH (1) OF THIS
- 10 SUBSECTION (A) OF THIS SECTION AND SUBMIT AN ANNUAL SUMMARY
- 11 REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE
- 12 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.
- SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
- 14 as follows:
- 15 Article Education
- 16 18–101.
- 17 (a) In this title the following words have the meanings indicated.
- 18 (b) "Commission" means the Maryland Higher Education Commission.
- 19 (c) "Office" means the Office of Student Financial Assistance.
- 20 18–103.
- Except as otherwise provided in Subtitles 3, 4, 5, **6,** and 12 of this title, a scholarship,
- 22 grant, loan, or other student financial assistance awarded by the Office may be used only
- 23 at a public or private nonprofit institution of higher education in this State that possesses
- 24 a certificate of approval from the Commission.
- 25 18–601.
- 26 (a) (1) In this section the following words have the meanings indicated.
- 27 (2) <u>"Disabled public safety employee" means a State or local public safety</u> 28 <u>employee who sustains an injury in the line of duty that:</u>
- 29 <u>(i) Precludes the individual from continuing to serve or be employed</u>
- 30 as a State or local public safety employee; and

1 2 3 4		the no		In the case of a volunteer member of a fire department or mpany or squad, precludes the member from continuing to be ic safety occupation in which the member is engaged at the time
5 6	Fund.	<u>(3)</u>	<u>"Func</u>	d" means the Edward T. Conroy and Jean B. Cryor Scholarship
7 8	in the State.	<u>(4)</u>	<u>"Scho</u>	ol employee" includes an employee of a public or nonpublic school
9	in the State	<u>(5)</u> as:	<u>"State</u>	e or local public safety employee" means a person who is employed
1			<u>(i)</u>	A career or volunteer member of a:
2				1. Fire department;
13				2. Ambulance company or squad; or
4				3. Rescue company or squad;
15			<u>(ii)</u>	A law enforcement officer;
16			<u>(iii)</u>	A correctional officer; or
17 18	of this State	at the	(iv) time (A member of the Maryland National Guard who was a resident of death.
9		<u>(6)</u>	<u>"Surv</u>	iving spouse" means a person who has not remarried.
20 21 22 23	resident who was killed as a result of the attacks on the World Trade Center in New York City, the attack on the Pentagon in Virginia, or the crash of United Airlines Flight 93 in			
24 25	(b) institutions			rogram of scholarships that are awarded by eligible postsecondary ection.
26 27	(c) dependents	(1) is the 1		rogram for military and public safety personnel and their eligible d T. and Mary A. Conroy Memorial Scholarship Program.
28 29	employees is	(2) s the J	_	orogram for eligible dependents of public and nonpublic school Cryor Memorial Scholarship Program.
30 31	(d) scholarship	<u>(1)</u> under	_	rson may apply to an eligible postsecondary institution for a ction if the person:

1 2 3	(i) 1 undergraduate, graduate of OR OUTSIDE THE STATE;	professional program at an eligible institution IN THE STATE
4 5 6		Is enrolled in a 2-year terminal certificate program in acceptable for transfer credit for an accredited baccalaureate tution IN THE STATE OR OUTSIDE THE STATE;
7	<u>(ii)</u> <u>I</u> s	s at least 16 years old; and
8	<u>(iii)</u> <u>N</u>	leets the other eligibility criteria specified in this section.
9 10 11	required to be a resident of Maryland at the time of application or at the time of th	
12 13	<u>armed forces who:</u> <u>(i) A</u>	son, daughter, stepson, or stepdaughter of a member of the
14	<u>1</u>	<u>Died as a result of military service after December 7, 1941;</u>
15 16	after December 7, 1941; or	Suffered a service connected 100% permanent disability
17 18 19		Was declared to be a prisoner of war or missing in action, January 1, 1960, as a result of the Vietnam conflict, and if the hile the parent was a prisoner of war or missing in action;
20 21 22	January 1, 1960, as a resul	prisoner of war or missing in action, if that occurred on or after t of the Vietnam conflict and was a resident of this State at the ed to be a prisoner of war or missing in action;
23 24	<u>(iii)</u> <u>A</u> <u>Article, who:</u>	veteran, as defined under § 9–901 of the State Government
25 26	<u>and</u>	Suffers a service connected disability of 25% or greater;
27 28	educational benefits;	Has exhausted or is no longer eligible for federal veterans'
29 30		he surviving spouse of a member of the armed forces who d 100% permanent disability;
31 32		son, daughter, stepson, or stepdaughter of or the surviving ptember 11, 2001, terrorist attacks;

1 2	(vi) A son, daughter, stepson, or stepdaughter of a school employed who, as a result of an act of violence:		
3		1. Died in the line of duty; or	
4 5	school employee 100% di	2. Sustained an injury in the line of duty that rendered the sabled; or	
6 7	act of violence: (vii)	The surviving spouse of a school employee who, as a result of an	
8		1. Died in the line of duty; or	
9 10	school employee 100% di	2. Sustained an injury in the line of duty that rendered the sabled.	
11 12 13	not required to be a resident of Maryland at the time of application or at the time of the		
14 15	(i) local public safety employ	1. A son, daughter, stepson, or stepdaughter of any State or yee killed in the line of duty; or	
16 17	employee killed in the lin	2. The surviving spouse of any State or local public safety are of duty; or	
18	<u>(ii)</u>	1. A disabled public safety employee;	
19 20 21			
22 23 24	who sustains an injury i	3. The surviving spouse of a disabled public safety employee n the line of duty that renders the public safety employee 100%	
25	(e) A scholarsh	ip awarded under this section:	
26 27	(1) May institution; and	be used for the tuition and mandatory fees at any eligible	
28	(2) <u>May</u>	not:	
29 30 31		Exceed the equivalent annual tuition and mandatory fees of a student at the 4-year public institution of higher education within Maryland, other than the University of Maryland Global Campus	

$\frac{1}{2}$	and University of Maryland, Baltimore Campus, with the highest annual expenses for a full-time resident undergraduate; and	
3	(ii) Be less than the lesser of:	
4	<u>1.</u> \$3,000; or	
5 6	2. The equivalent annual tuition and mandatory fees of a resident of the institution attended by the recipient of the scholarship.	
7 8 9	(f) (1) Each postsecondary institution shall determine the eligibility of persons who apply to the institution for the Edward T. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program.	
10 11 12 13	(2) Funds for the Edward T. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program shall be allocated by the Commission to each postsecondary institution based on the number of eligible recipients attending each institution.	
14 15	(3) <u>In October and February of each year, each postsecondary institution</u> shall report to the Commission the number of eligible recipients attending the institution.	
16 17	(4) The Commission shall allocate funds for awards to postsecondary institutions upon verification of eligible recipients attending the institutions.	
18 19	(5) If funds cannot be allocated in the fiscal year in which awards are made, priority shall be given to allocating funds for those awards in the following fiscal year.	
20 21	(g) (1) Each recipient of a scholarship under this section may hold the award for 5 years of full—time study or 8 years of part—time study.	
22 23	(2) The number of eligible recipients under subsection (d)(2)(iii) of this section shall be limited to 15 each year.	
24 25 26 27	(3) An award provided under subsection (d)(2)(v) of this section may not exceed the amount specified in subsection (e)(2) of this section when combined with any other scholarship received by a student based on the student's status as a child or spouse of a victim of the September 11, 2001, terrorist attacks.	
28	(h) (1) There is an Edward T. Conroy and Jean B. Cryor Scholarship Fund.	
29	(2) The Commission shall administer the Fund.	
30 31	(3) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.	

1 2	(4) The State Treasurer shall hold the Fund and the Comptroller shall account for the Fund.		
3	(5) The Commission:		
4	(i) May accept any gift or grant from any person for the Fund;		
5 6	(ii) Shall use any gift or grant that it receives for a scholarship from the programs; and		
7 8	(iii) Shall deposit any gift or grant that it receives for the program with the State Treasurer.		
9	SUBTITLE 39. SCHOLARSHIPS FOR POLICE OFFICERS AND THEIR DEPENDENTS.		
0	18–3901.		
$\frac{1}{2}$	(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANING INDICATED.		
13 14 15	INSTITUTION OF HIGHER EDUCATION IN THE STATE THAT POSSESSES A		
16 17	(C) "POLICE OFFICER" HAS THE MEANING STATED IN § 3–201 OF TH PUBLIC SAFETY ARTICLE.		
18 19 20	(D) "TECHNICAL INFRACTION" MEANS A MINOR RULE VIOLATION BY POLICE OFFICER RELATED TO THE ENFORCEMENT OF ADMINISTRATIVE RULE THAT:		
21 22	(1) DOES NOT INVOLVE AN INTERACTION BETWEEN A MEMBER O THE PUBLIC AND THE POLICE OFFICER;		
23 24	(2) DOES NOT RELATE TO THE POLICE OFFICER'S INVESTIGATIVE ENFORCEMENT, TRAINING, SUPERVISION, OR REPORTING RESPONSIBILITIES; AND		
25	(3) IS NOT OTHERWISE A MATTER OF PUBLIC CONCERN.		
26	18-3902.		
27	(A) IN THIS SECTION. "SCHOLARSHIP" MEANS THE CONTINUING		

EDUCATION FOR POLICE OFFICERS SCHOLARSHIP.

1 2	(B) THERE IS A CONTINUING EDUCATION FOR POLICE OFFICERS SCHOLARSHIP.
_	
3	(c) An individual may apply to the Office for the scholarship if
4	THE INDIVIDUAL IS:
5	(1) A CERTIFIED POLICE OFFICER;
6	(2) Accepted for admission or enrolled in the regular
7	UNDERGRADUATE PROGRAM AT AN ELIGIBLE INSTITUTION; AND
'	UNDERGRADUATE FROM AN AN EDIGIDLE INSTITUTION, AND
8	(3) ATTEMPTING TO SATISFY THE DEGREE REQUIREMENT UNDER §
9	3-209.3(C) OF THE PUBLIC SAFETY ARTICLE.
10	(D) ALL APPLICANTS WHO FULFILL THE REQUIREMENTS ESTABLISHED IN
11	SUBSECTION (C) OF THIS SECTION SHALL RECEIVE A SCHOLARSHIP.
12	(E) A SCHOLARSHIP AWARDED UNDER THIS SECTION:
13	(1) MAY BE USED FOR THE TUITION AND FEES AT ANY ELIGIBLE
14	INSTITUTION FOR UP TO 60 CREDITS TOWARD A BACHELOR'S DEGREE; AND
	inclifered to the condense to wind it brighted to a blander, in the
15	(2) MAY BE UP TO 100% OF THE EQUIVALENT ANNUAL TUITION AND
16	FEES OF A RESIDENT UNDERGRADUATE STUDENT AT THE UNIVERSITY OF
17	Maryland, College Park Campus.
1.0	10 0000 10 0000
18	18-3903. <u>18-3902.</u>
19	(A) IN THIS SECTION, "SCHOLARSHIP" MEANS THE POLICE OFFICERS
20	EDUCATIONAL BENEFIT SCHOLARSHIP I.
_ ~	
21	(B) THERE IS A POLICE OFFICERS EDUCATIONAL BENEFIT SCHOLARSHIP
22	I.
23	(C) AN INDIVIDUAL MAY APPLY TO THE OFFICE FOR THE SCHOLARSHIP IF
24	THE INDIVIDUAL IS:
25	(1) A CURRENT OR FORMER CERTIFIED POLICE OFFICER WHO:
4 0	(1) A CURRENT OR FORMER CERTIFIED FOLICE OFFICER WHO.
26	(I) HAS BEEN EMPLOYED IN THAT CAPACITY FOR A MINIMUM
$\frac{1}{27}$	OF 5 YEARS;
28	(II) IS A CURRENT RESIDENT OF THE STATE; AND

(III) HAS NOT BEEN REPRIMANDED FOR MISCONDUCT 1 2 **EXCLUDING TECHNICAL INFRACTIONS; OR** 3 A DEPENDENT CHILD OF A POLICE OFFICER UNDER ITEM (1) OF 4 THIS SUBSECTION, IF A SCHOLARSHIP HAS NOT ALREADY BEEN AWARDED UNDER THIS SECTION TO THE POLICE OFFICER OR ANOTHER DEPENDENT CHILD OF THE 5 6 POLICE OFFICER. 7 ALL APPLICANTS WHO FULFILL THE REQUIREMENTS ESTABLISHED IN SUBSECTION (C) OF THIS SECTION SHALL RECEIVE A SCHOLARSHIP. 9 A POLICE OFFICER IS NO LONGER ELIGIBLE TO APPLY FOR A 10 SCHOLARSHIP UNDER THIS SECTION IF THEIR DEPENDENT CHILD HAS APPLIED. 11 **(F)** A SCHOLARSHIP AWARDED UNDER THIS SECTION: 12 MAY BE USED FOR THE TUITION AT ANY ELIGIBLE INSTITUTION FOR UP TO 60 CREDITS; AND 13 14 **(2)** MAY BE UP TO 100% OF THE EQUIVALENT ANNUAL TUITION OF A RESIDENT UNDERGRADUATE STUDENT AT THE UNIVERSITY OF MARYLAND, 15 COLLEGE PARK CAMPUS. 16 18-3904. 18-3903. 17 IN THIS SECTION, "SCHOLARSHIP" MEANS THE POLICE OFFICERS 18 EDUCATIONAL BENEFIT SCHOLARSHIP II. 19 THERE IS A POLICE OFFICERS EDUCATIONAL BENEFIT SCHOLARSHIP 20 **(B)** II. 21 22AN INDIVIDUAL MAY APPLY TO THE OFFICE FOR THE SCHOLARSHIP IF (C) 23 THE INDIVIDUAL IS: 24**(1)** A CURRENT OR FORMER CERTIFIED POLICE OFFICER WHO: 25**(I)** HAS BEEN EMPLOYED IN THAT CAPACITY FOR A MINIMUM OF 10 YEARS; 2627 (II)IS A CURRENT RESIDENT OF THE STATE; AND 28 (HI) HAS NOT BEEN AWARDED THE CONTINUING EDUCATION

FOR POLICE OFFICERS SCHOLARSHIP UNDER § 18-3902 OF THIS SUBTITLE; AND

- 1 (IV) (III) HAS NOT BEEN REPRIMANDED FOR MISCONDUCT 2 EXCLUDING TECHNICAL INFRACTIONS; OR
- 3 (2) A DEPENDENT CHILD OF A POLICE OFFICER UNDER ITEM (1) OF
- 4 THIS SUBSECTION, IF A SCHOLARSHIP HAS NOT ALREADY BEEN AWARDED UNDER
- 5 THIS SECTION TO THE POLICE OFFICER OR ANOTHER DEPENDENT CHILD OF THE
- 6 POLICE OFFICER.
- 7 (D) ALL APPLICANTS WHO FULFILL THE REQUIREMENTS ESTABLISHED IN 8 SUBSECTION (C) OF THIS SECTION SHALL RECEIVE A SCHOLARSHIP.
- 9 (E) A POLICE OFFICER IS NO LONGER ELIGIBLE TO APPLY FOR A 10 SCHOLARSHIP UNDER THIS SECTION IF THEIR DEPENDENT CHILD HAS APPLIED.
- 11 (F) A SCHOLARSHIP AWARDED UNDER THIS SECTION:
- 12 (1) MAY BE USED FOR THE TUITION AT ANY ELIGIBLE INSTITUTION 13 FOR UP TO:
- 14 (I) 120 CREDITS; OR
- 15 (II) 60 CREDITS IF THE POLICE OFFICER OR A DEPENDENT
- 16 CHILD OF THE POLICE OFFICER WAS AWARDED THE POLICE OFFICERS
- 17 EDUCATIONAL BENEFIT SCHOLARSHIP I UNDER § 18–3903 § 18–3902 OF THIS
- 18 SUBTITLE; AND
- 19 (2) MAY BE UP TO 100% OF THE EQUIVALENT ANNUAL TUITION OF A
- 20 RESIDENT UNDERGRADUATE STUDENT AT THE UNIVERSITY OF MARYLAND,
- 21 COLLEGE PARK CAMPUS.
- 22 18-3905. 18-3904.
- 23 (A) THE COMMISSION MAY ADOPT ANY REGULATIONS NECESSARY TO
- 24 IMPLEMENT THIS SUBTITLE.
- 25 (B) THE OFFICE SHALL ESTABLISH THE APPLICATION AND AWARD
- 26 PROCESSES FOR THE SCHOLARSHIPS UNDER THIS SUBTITLE.
- 27 (C) FOR FISCAL YEAR 2024 AND EACH YEAR THEREAFTER, THE GOVERNOR
- 28 SHALL PROVIDE SUFFICIENT FUNDS IN THE BUDGET TO EQUAL 100% OF THE VALUE
- 29 OF THE SCHOLARSHIPS AWARDED UNDER THIS SUBTITLE.
- 30 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be
- 31 construed to apply only prospectively and may not be applied or interpreted to have any
- 32 effect on or application to any police officers certified before the effective date of this Act.

SECTION $\frac{4}{3}$. AND BE IT FURT July 1, 2022.	THER ENACTED, That this Act shall take effect
Approved:	
	Governor.
	President of the Senate.
	Speaker of the House of Delegates.