

HOUSE BILL 145

E4
HB 433/19 – JUD

3lr1191
CF SB 126

By: ~~Delegate Fraser-Hidalgo~~ Delegates Fraser-Hidalgo, Conaway, Kaufman,
Moon, Pasteur, Phillips, and Young

Introduced and read first time: January 16, 2023

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2023

CHAPTER _____

1 AN ACT concerning

2 **Maryland Police Training and Standards Commission – Police Officer**
3 **Certification – Eligibility**

4 FOR the purpose of altering the eligibility requirements for an individual to be certified by
5 the Maryland Police Training and Standards Commission as a police officer to
6 remove a certain requirement ~~on~~ for an individual who is a permanent legal resident
7 of the United States and an honorably discharged veteran of the United States armed
8 forces; providing that an individual who is a permanent legal resident of the United
9 States and an honorably discharged veteran or current member of the Army National
10 Guard, the Air National Guard, or a reserve component of the United States armed
11 forces is eligible to be certified as a police officer; and generally relating to police
12 officer certification.

13 BY repealing and reenacting, with amendments,
14 Article – Public Safety
15 Section 3–209
16 Annotated Code of Maryland
17 (2022 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Public Safety**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



1 3–209.

2 (a) The Commission shall certify as a police officer each individual who:

3 (1) (i) satisfactorily meets the standards of the Commission; or

4 (ii) provides the Commission with sufficient evidence that the
5 individual has satisfactorily completed a training program in another state of equal quality
6 and content as required by the Commission;

7 (2) submits to a mental health screening by a licensed mental health
8 professional;

9 (3) submits to a physical agility assessment as determined by the
10 Commission;

11 (4) submits to a criminal history records check in accordance with §
12 3–209.1 of this subtitle; and

13 (5) (i) is a United States citizen; or

14 (ii) [subject to subsection (b) of this section,] is:

15 1. a permanent legal resident of the United States; and

16 2. A. an honorably discharged veteran of the United
17 States armed forces, THE ARMY NATIONAL GUARD, THE AIR NATIONAL GUARD, OR A
18 RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES; OR

19 B. A CURRENT MEMBER OF THE ARMY NATIONAL
20 GUARD, THE AIR NATIONAL GUARD, OR A RESERVE COMPONENT OF THE UNITED
21 STATES ARMED FORCES[, provided that the individual has applied to obtain United
22 States citizenship and the application is still pending approval].

23 (b) [The certification of a police officer who fails to obtain United States
24 citizenship as required by subsection (a)(4)(ii) of this section shall be terminated by the
25 Commission.

26 (c)] The Commission may certify as a police officer an individual who is not
27 considered a police officer under § 3–201(f)(3) of this subtitle if the individual meets the
28 selection and training standards of the Commission.

29 [(d)] (C) Each certificate issued to a police officer under this subtitle remains the
30 property of the Commission.

1 [(e)] (D) As a condition of certification, a police officer shall submit to a mental
2 health assessment every 2 years and an annual physical agility assessment to establish
3 continuing fitness to carry out the officer's assigned duties as a police officer.

4 [(f)] (E) Prior cannabis use is not a disqualifier for certification as a police
5 officer.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 ~~October~~ June 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.