

HOUSE BILL 1218

E4

3lr2543

By: **Delegate Tomlinson**

Introduced and read first time: February 10, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Special Police Officer Training – Bailiff Exemption**

3 FOR the purpose of exempting an applicant for an initial commission or renewal of a
4 commission as a special police officer for employment as a bailiff from certain
5 training requirements; and generally relating to training requirements for special
6 police officers.

7 BY repealing and reenacting, with amendments,

8 Article – Public Safety

9 Section 3–303 and 3–312

10 Annotated Code of Maryland

11 (2022 Replacement Volume)

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

14 **Article – Public Safety**

15 3–303.

16 (a) The following entities may apply for the appointment of special police officers
17 for the following purposes:

18 (1) a municipal corporation, county, or other governmental body of the
19 State, in order to protect property owned, leased, or regularly used by the governmental
20 body or any of its units;

21 (2) another state, or subdivision or unit of another state, that has an
22 interest in property located wholly or partly in this State, in order to protect the property;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) a college, university, or public school system in the State, in order to
2 protect its property or students; or

3 (4) a person that exists and functions for a legal business purpose, in order
4 to protect its business property.

5 (b) The applicant for a commission shall be at least 18 years old.

6 (c) (1) This subsection does not apply to:

7 (I) an applicant for an initial commission who, within 5 years prior
8 to application, has:

9 [(i)] 1. completed a basic training course for police officers
10 approved by the Secretary in consultation with the Maryland Police Training and
11 Standards Commission;

12 [(ii)] 2. completed a basic training course for police officers similar
13 to the course described in item [(i)] 1 of this [paragraph] ITEM in another state or for the
14 federal government;

15 [(iii)] 3. separated from a law enforcement agency in good
16 standing; or

17 [(iv)] 4. completed training approved by the Maryland Police
18 Training and Standards Commission for a special police officer at a State institution of
19 higher education; OR

20 (II) AN APPLICANT FOR AN INITIAL COMMISSION FOR
21 EMPLOYMENT AS A BAILIFF.

22 (2) An applicant for an initial commission shall complete a training course
23 approved by the Secretary in consultation with the Maryland Police Training and
24 Standards Commission consisting of at least 80 hours of instruction, including instruction
25 on:

26 (i) criminal law;

27 (ii) constitutional procedural requirements relating to search,
28 seizure, and arrest; and

29 (iii) the appropriate use of force.

30 3-312.

31 (a) An initial commission expires 3 years after its date of issuance.

1 (b) (1) **THIS SUBSECTION DOES NOT APPLY TO A SPECIAL POLICE**
2 **OFFICER SEEKING RENEWAL OF A COMMISSION FOR EMPLOYMENT AS A BAILIFF.**

3 (2) At the end of the term of a commission, the commission is renewable for
4 a 3-year term if:

5 (i) before submitting an application for renewal, the special police
6 officer has completed 12 hours of in-service training approved by the Secretary in
7 consultation with the Maryland Police Training and Standards Commission; and

8 (ii) the employer of the special police officer submits to the Secretary:

9 1. an application in the manner and format designated by the
10 Secretary;

11 2. one complete set of the applicant's legible fingerprints
12 taken in a format approved by the Director of the Federal Bureau of Investigation;

13 3. the mandatory processing fee required by the Federal
14 Bureau of Investigation for a national criminal history records check; and

15 4. subject to paragraph [(2)] (3) of this subsection, a renewal
16 fee of \$60.

17 [(2)] (3) A renewal fee may not be charged to a unit of the State.

18 (c) (1) The Secretary shall apply to the Central Repository for a national
19 criminal history records check for each applicant for a special police commission.

20 (2) As part of the application for a criminal history records check, the
21 Secretary shall submit to the Central Repository:

22 (i) a complete set of the applicant's legible fingerprints taken in a
23 format approved by the Director of the Federal Bureau of Investigation; and

24 (ii) the mandatory processing fee required by the Federal Bureau of
25 Investigation for a national criminal history records check.

26 (3) The Central Repository shall provide a receipt to the applicant for the
27 fees paid in accordance with paragraph (2)(ii) of this subsection.

28 (4) In accordance with Title 10, Subtitle 2 of the Criminal Procedure
29 Article, the Central Repository shall forward to the applicant and the Secretary a printed
30 statement of the applicant's criminal history information.

- 1 (5) Information obtained from the Central Repository under this section:
- 2 (i) is confidential and may not be disseminated; and
- 3 (ii) may be used only for the purposes authorized by this section.
- 4 (d) The Secretary may set the deadline for submitting a renewal application to
- 5 the Secretary.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

7 October 1, 2023.