

SENATE BILL 330

E4

(3lr2214)

ENROLLED BILL

— Judicial Proceedings/Judiciary —

Introduced by **Senator Ready**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Law Enforcement – Body-Worn Cameras**
3 **(Body-Worn Camera Appropriation and Financing Act of 2023)**

4 FOR the purpose of requiring the Department of General Services, in coordination with the
5 Department of Information Technology, to negotiate *certain* contracts ~~to acquire and~~
6 ~~maintain body-worn cameras, equipment, and technology at the request of a law~~
7 ~~enforcement agency~~ *with third parties for the acquisition or maintenance of*
8 *body-worn cameras, equipment, or technology for certain law enforcement agencies;*
9 requiring the ~~Maryland Police Training and Standards Commission~~ Department of
10 Information Technology, in coordination with the Department of General Services
11 ~~and the Department of Information Technology~~, to study the cost and feasibility of
12 implementing a statewide uniform storage and access system for the body-worn
13 camera data of all law enforcement agencies; and generally relating to law
14 enforcement agencies and body-worn cameras.

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.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, without amendments,
 2 Article – Public Safety
 3 Section 3–101(a) and (e) and 3–201(a) and (d)
 4 Annotated Code of Maryland
 5 (2022 Replacement Volume)

6 BY adding to
 7 Article – Public Safety
 8 Section 3–511.1
 9 Annotated Code of Maryland
 10 (2022 Replacement Volume)

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

13 **Article – Public Safety**

14 3–101.

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

16 (e) “Law enforcement agency” has the meaning stated in § 3–201 of this title.

17 3–201.

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

19 (d) (1) “Law enforcement agency” means a governmental police force, sheriff’s
 20 office, or security force or law enforcement organization of the State, a county, or a
 21 municipal corporation that by statute, ordinance, or common law is authorized to enforce
 22 the general criminal laws of the State.

23 (2) “Law enforcement agency” does not include members of the Maryland
 24 National Guard who:

25 (i) are under the control and jurisdiction of the Military
 26 Department;

27 (ii) are assigned to the military property designated as the Martin
 28 State Airport; and

29 (iii) are charged with exercising police powers in and for the Martin
 30 State Airport.

31 **3–511.1.**

1 (A) (1) ~~AT THE REQUEST OF A LAW ENFORCEMENT AGENCY, THE~~ *THE*
2 DEPARTMENT OF GENERAL SERVICES, IN COORDINATION WITH THE DEPARTMENT
3 OF INFORMATION TECHNOLOGY, SHALL NEGOTIATE CONTRACTS ~~TO ACQUIRE AND~~
4 ~~MAINTAIN BODY WORN CAMERAS, EQUIPMENT, AND TECHNOLOGY FOR THE LAW~~
5 ~~ENFORCEMENT AGENCY, AT THE REQUEST OF ONE OR MORE LAW ENFORCEMENT~~
6 AGENCIES, WITH THIRD PARTIES FOR THE ACQUISITION OR MAINTENANCE OF
7 BODY-WORN CAMERAS, EQUIPMENT, OR TECHNOLOGY FOR LAW ENFORCEMENT
8 AGENCIES.

9 (2) THE CONTRACTS NEGOTIATED UNDER PARAGRAPH (1) OF THIS
10 SUBSECTION MAY INCLUDE CONTRACTS FOR ANY RELATED EQUIPMENT OR
11 TECHNOLOGY DETERMINED TO BE NECESSARY FOR THE EFFECTIVE USE OF
12 BODY-WORN CAMERAS.

13 (3) THE DEPARTMENT OF GENERAL SERVICES SHALL NOTIFY ALL
14 LAW ENFORCEMENT AGENCIES OF THE CONTRACTS THAT ARE BEING NEGOTIATED
15 UNDER PARAGRAPH (1) OF THIS SUBSECTION BY POSTING THE CONTRACTS ON
16 EMARYLAND MARKETPLACE ADVANTAGE.

17 (B) THE CONTRACTS NEGOTIATED UNDER SUBSECTION (A) OF THIS
18 SECTION SHALL PRIORITIZE:

19 (1) EQUIPMENT AND TECHNOLOGY THAT COMPLIES WITH THE
20 POLICIES DEVELOPED BY THE MARYLAND POLICE TRAINING AND STANDARDS
21 COMMISSION UNDER § 3-511 OF THIS SUBTITLE;

22 (2) EQUIPMENT AND TECHNOLOGY THAT CONFORM TO INDUSTRY
23 STANDARDS AND BEST PRACTICES;

24 (3) CYBERSECURITY AND DATA PRIVACY;

25 (4) COMPATIBILITY WITH DIFFERENT EQUIPMENT AND
26 TECHNOLOGY;

27 (5) CAPABILITIES TO EFFECTIVELY VIEW, EDIT, REDACT, AND
28 TRANSFER DATA FROM BODY-WORN CAMERAS; AND

29 (6) COST EFFECTIVENESS.

30 (C) FOR ANY CONTRACT NEGOTIATED UNDER SUBSECTION (A) OF THIS
31 SECTION, THE RIGHT OF A LAW ENFORCEMENT AGENCY TO RECEIVE SERVICES
32 FROM AN ENTITY RELATED TO VIEWING, EDITING, REDACTING, OR TRANSFERRING
33 DATA FROM BODY-WORN CAMERAS MAY NOT BE RESTRICTED IN ANY MANNER.

1 SECTION 2. AND BE IT FURTHER ENACTED, That:

2 (a) The ~~Maryland Police Training and Standards Commission~~ Department of
 3 Information Technology, in coordination with the Department of General Services ~~and the~~
 4 ~~Department of Information Technology~~, shall study the cost and feasibility of implementing
 5 a statewide uniform storage and access system for the body-worn camera data of all law
 6 enforcement agencies, as defined in § 3-201 of the Public Safety Article.

7 (b) The study shall include an analysis of:

8 (1) the best practices for the storage of body-worn camera data; and

9 (2) alternatives to a statewide uniform storage and access system for
 10 body-worn camera data.

11 (c) On or before December 1, 2023, the ~~Maryland Police Training and Standards~~
 12 ~~Commission~~ Department of Information Technology shall report the findings of the study
 13 to the Senate Budget and Taxation Committee and the House Appropriations Committee,
 14 in accordance with § 2-1257 of the State Government Article.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to
 16 apply only prospectively and may not be applied or interpreted to have any effect on or
 17 application to any contract related to body-worn cameras negotiated before the effective
 18 date of this Act.

19 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 20 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.