

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 145
Judiciary

(Delegate Fraser-Hidalgo, *et al.*)

Judicial Proceedings

Maryland Police Training and Standards Commission - Police Officer
Certification - Eligibility

This bill modifies the eligibility requirements for a person to be certified as a law enforcement officer by the Maryland Police Training and Standards Commission (MPTSC) by (1) authorizing, as eligible for certification as a police officer, an individual who is a permanent legal resident of the United States and an honorably discharged veteran or current member of the Army National Guard, the Air National Guard, or a reserve component of the U.S. Armed Forces; (2) repealing the requirement for an individual who is a permanent legal resident of the United States and an honorably discharged veteran of the U.S. Armed Forces to have applied to obtain U.S. citizenship with a still pending application; and (3) repealing the requirement for MPTSC to terminate the commission of a police officer who fails to obtain U.S. citizenship. **The bill takes effect June 1, 2023.**

Fiscal Summary

State Effect: MPTSC and State law enforcement agencies can handle the bill's changes with existing budgeted resources. Revenues are not affected.

Local Effect: Local jurisdictions can handle the bill's changes with existing resources. Local revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: MPTSC operates approved police training schools and prescribes standards for and certifies schools that offer police and security training. In consultation and

cooperation with various entities, it also sets minimum qualifications for instructors and certifies qualified instructors for approved training schools. Training for the certification of law enforcement officers in the State may be conducted at MPTSC facilities or at any police training academies in the State certified by MPTSC.

In order for MPTSC to certify a person as a police officer, the person must:

- meet commission standards;
- submit to a mental health screening by a licensed mental health professional;
- submit to a physical agility assessment as determined by MPTSC;
- submit to a criminal history records check, as specified; and
- be a U.S. citizen; or be a permanent legal resident of the United States and an honorably discharged veteran of the U.S. Armed Forces, provided that the individual has applied to obtain U.S. citizenship and the application is still pending approval.

MPTSC must terminate the commission of a police officer who fails to obtain U.S. citizenship as required.

As a condition of certification, a police officer must submit to a mental health assessment every two years and an annual physical agility assessment to establish continuing fitness to carry out the officer's assigned duties as a police officer.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 126 (Senator Kagan) - Judicial Proceedings.

Information Source(s): Baltimore, Carroll, Harford, Queen Anne's, and St. Mary's counties; Comptroller's Office; Baltimore City Community College; University System of Maryland; Department of General Services; Maryland Department of Labor; Department of Natural Resources; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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