

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1077

(Delegate Pasteur, *et al.*)

Judiciary

Judicial Proceedings

Department of State Police - Reproducing or Distributing Logo for Commercial
Purposes - Prohibition

This bill prohibits a person, without the authority of the Secretary of State Police, from reproducing or distributing for commercial purposes the shield, badge, or shoulder patch adopted by the Department of State Police (DSP) to be worn by its members. A violator is guilty of a misdemeanor and subject to existing maximum penalties of imprisonment for two years and/or a \$2,000 fine.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues and expenditures due to the application of an existing penalty provision to violations of the bill. Enforcement can be handled with existing resources.

Local Effect: Potential minimal increase in local government expenditures due to the application of an existing penalty provision to violations of the bill. Local revenues are not materially affected.

Small Business Effect: Minimal or none.

Analysis

Current Law: A person may not, with fraudulent design on person or property, falsely represent that the person is a police officer, special police officer, sheriff, deputy sheriff, or constable. A person may not, for the purpose of deception, have a simulation or imitation of a uniform, shield, button, ornament, badge, identification, or shoulder patch adopted by DSP to be worn by its members, insignia, or emblem of office, as is worn by a

police officer, sheriff, deputy sheriff, or constable. In addition, unless appropriate authority is provided, as specified, a person may not have, use, wear, or display a uniform, shield, button, ornament, badge, identification, or shoulder patch adopted by DSP to be worn by its members, insignia, or emblem of office, as is worn by a police officer, sheriff, deputy sheriff, or constable. A violator of any of these provisions is guilty of a misdemeanor and subject to maximum penalties of two years imprisonment and/or a \$2,000 fine.

Additional Information

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

Designated Cross File: None.

Information Source(s): Baltimore and Frederick counties; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of State Police; Department of Legislative Services

Fiscal Note History: First Reader - March 7, 2023
js/lgc Third Reader - March 20, 2023

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