

SENATE BILL 608

E4
SB 571/23 – JPR

4lr2152

By: **Senators Folden, Bailey, Benson, Corderman, Salling, West, and Smith**

Introduced and read first time: January 26, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 27, 2024

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Police Accountability – Time Limit for Filing Administrative**
3 **Charges**

4 FOR the purpose of altering a requirement for a law enforcement agency to file
5 administrative charges relating to alleged police officer misconduct that is required
6 to be reviewed by an administrative charging committee within a certain period of
7 time; requiring a law enforcement agency to file any administrative charges arising
8 out of an investigation of alleged police officer misconduct that is not required to be
9 reviewed by an administrative charging committee within a certain period of time
10 ~~after the incident that led to the investigation~~; requiring an administrative charging
11 committee or law enforcement agency to file any administrative charges for alleged
12 police officer misconduct that reasonably appears to be the subject of a criminal
13 investigation within a certain period of time; and generally relating to police
14 accountability.

15 BY repealing and reenacting, with amendments,
16 Article – Public Safety
17 Section 3–113
18 Annotated Code of Maryland
19 (2022 Replacement Volume and 2023 Supplement)

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

22 **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 3-113.

2 (a) The investigating unit of a law enforcement agency shall immediately review
3 a complaint by a member of the public alleging police officer misconduct.

4 (b) An administrative charging committee shall review and make a determination
5 or ask for further review within 30 days after completion of the investigating unit's review.

6 (c) ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, FOR AN**
7 **INCIDENT INVOLVING A MEMBER OF THE PUBLIC AND A POLICE OFFICER, THE**
8 process of review by the investigating unit through disposition by the administrative
9 charging committee shall be completed within 1 year and 1 day after the ~~filing of a~~
10 ~~complaint by a citizen~~ **DATE THAT THE APPROPRIATE OFFICIAL EMPLOYED BY THE**
11 **LAW ENFORCEMENT AGENCY BECAME AWARE OF THE INCIDENT.**

12 (D) **EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, A LAW**
13 **ENFORCEMENT AGENCY SHALL FILE ANY ADMINISTRATIVE CHARGES ARISING OUT**
14 **OF AN INVESTIGATION OF ALLEGED POLICE OFFICER MISCONDUCT THAT IS NOT**
15 **REQUIRED TO BE REVIEWED BY AN ADMINISTRATIVE CHARGING COMMITTEE**
16 **WITHIN 1 YEAR AND 1 DAY ~~FROM~~ AFTER THE DATE THAT THE APPROPRIATE**
17 **OFFICIAL EMPLOYED BY THE LAW ENFORCEMENT AGENCY BECAME AWARE OF THE**
18 **INCIDENT THAT LED TO THE INVESTIGATION.**

19 (E) IF ALLEGED POLICE OFFICER MISCONDUCT IS RELATED TO ACTIVITY
20 THAT REASONABLY APPEARS TO BE THE SUBJECT OF A CRIMINAL INVESTIGATION,
21 AN ADMINISTRATIVE CHARGING COMMITTEE OR LAW ENFORCEMENT AGENCY
22 SHALL FILE ANY ADMINISTRATIVE CHARGES WITHIN 1 YEAR AND 1 DAY FROM THE
23 DATE OF:

24 (1) THE INVESTIGATING LAW ENFORCEMENT AGENCY'S
25 DETERMINATION THAT THE MATTER IS NOT RELATED TO CRIMINAL ACTIVITY;

26 (2) THE FINAL DISPOSITION OF ALL RELATED CRIMINAL CHARGES;
27 OR

28 (3) THE ADMINISTRATIVE CHARGING COMMITTEE'S OR LAW
29 ENFORCEMENT AGENCY'S RECEIPT OF NOTICE THAT THE APPROPRIATE
30 PROSECUTORIAL AUTHORITY DECLINED TO FILE CRIMINAL CHARGES.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2024.