

SENATE BILL 608

E4
SB 571/23 – JPR

4lr2152

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

Introduced and read first time: January 26, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

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

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

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

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

19 **Article – Public Safety**

20 3–113.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) The process of review by the investigating unit through disposition by the
2 administrative charging committee shall be completed within 1 year and 1 day after the
3 filing of a complaint by a citizen.

4 (D) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, A LAW
5 ENFORCEMENT AGENCY SHALL FILE ANY ADMINISTRATIVE CHARGES ARISING OUT
6 OF AN INVESTIGATION OF ALLEGED POLICE OFFICER MISCONDUCT THAT IS NOT
7 REQUIRED TO BE REVIEWED BY AN ADMINISTRATIVE CHARGING COMMITTEE
8 WITHIN 1 YEAR AND 1 DAY FROM THE DATE OF THE INCIDENT THAT LED TO THE
9 INVESTIGATION.

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

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

17 (2) THE FINAL DISPOSITION OF ALL RELATED CRIMINAL CHARGES;
18 OR

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

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