

SENATE BILL 746

E4

6lr3480

By: **Senator McKay**

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Police Discipline – Municipal Law Enforcement Agencies – Suspension Pending**
3 **Appeal of Trial Board Decision**

4 FOR the purpose of authorizing the chief of a law enforcement agency serving a
5 municipality to suspend a police officer without pay during the pendency of a certain
6 appeal; providing that a police officer who was suspended without pay in accordance
7 with this Act is entitled to receive certain back pay if the officer prevails on appeal;
8 and generally relating to police discipline.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 3–107
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2025 Supplement)

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

16 **Article – Public Safety**

17 3–107.

18 (a) (1) Pending an investigatory, administrative charging committee, and trial
19 board process, the chief may impose an emergency suspension with or without pay if the
20 chief determines that such a suspension is in the best interest of the public.

21 (2) An emergency suspension without pay under this subsection may not
22 exceed 30 days.

23 (3) A police officer who is suspended without pay under this subsection is
24 entitled to receive back pay if an administrative charging committee determines not to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



administratively charge the police officer in connection with the matter on which the suspension is based.

(b) (1) A chief or a chief's designee may suspend a police officer without pay and suspend the police officer's police powers on an emergency basis if the police officer is charged with:

(i) a disqualifying crime, as defined in § 5–101 of this article;

(ii) a misdemeanor committed in the performance of duties as a police officer; or

(iii) a misdemeanor involving dishonesty, fraud, theft, or misrepresentation.

(2) A police officer who was suspended without pay under this subsection is entitled to receive back pay if the criminal charge or charges against the police officer result in:

(i) a finding of not guilty;

(ii) an acquittal;

(iii) a dismissal; or

(iv) a nolle prosequi.

(C) (1) THE CHIEF OF A LAW ENFORCEMENT AGENCY SERVING A MUNICIPALITY MAY SUSPEND A POLICE OFFICER WITHOUT PAY DURING THE PENDENCY OF AN APPEAL FROM THE DECISION OF A TRIAL BOARD UNDER § 3–106 OF THIS SUBTITLE.

(2) A POLICE OFFICER WHO WAS SUSPENDED WITHOUT PAY UNDER THIS SUBSECTION IS ENTITLED TO RECEIVE FULL BACK PAY IF THE OFFICER PREVAILS ON APPEAL.

[(c)] (D) (1) The chief shall terminate the employment of a police officer who is convicted of a felony.

(2) The chief may terminate the employment of a police officer who:

(i) receives a probation before judgment for a felony; or

(ii) is convicted of:

[(d)] (E) (1) In connection with a disciplinary matter under this subtitle, a police officer may be required to submit to blood alcohol tests, blood, breath, or urine tests for controlled dangerous substances, polygraph examinations, or interrogations that specifically relate to the subject matter of the investigation.

(3) (i) If a police officer is required to submit to a test, examination, or interrogation under paragraph (1) of this subsection, the results of the test, examination, or interrogation are not admissible or discoverable in a criminal proceeding against the police officer.

(ii) If a police officer is required to submit to a polygraph examination under paragraph (1) of this subsection, the results of the polygraph examination are not admissible or discoverable in a criminal or civil proceeding against the police officer.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.