

# SENATE BILL 746

E4

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By: Senator McKay

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

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## 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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

14 (i) a finding of not guilty;

15 (ii) an acquittal;

16 (iii) a dismissal; or

17 (iv) a nolle prosequi.

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

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

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

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

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

29 (ii) is convicted of:

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

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