



THE SENATE OF MARYLAND  
Annapolis, Maryland 21401  
BALTIMORE CITY SENATE DELEGATION

**March 17, 2023**

**From:** Senator Jill P. Carter, Chair, Baltimore City Senate Delegation

**To:** Senator William C. Smith, Jr., Chair, Judicial Proceedings Committee

**Re:** Delegation Vote on SB758 - Baltimore City – Control Over Powers of Police Commissioner (*with amendments*)

Chair Smith,

On Friday, March 17, 2023, the Baltimore City Senate Delegation voted Senate Bill 758 - Baltimore City – Control Over Powers of Police Commissioner (*with amendments*) **favorable**. *Please see* the attached voting roster and amendments.

Pursuant to Senate custom, we ask the Judicial Proceedings Committee to bring SB758 to a vote.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in blue ink that reads "Jill P. Carter".

Senator Jill P. Carter

JILL P. CARTER, CHAIR

CORY V. MCCRAY  
BILL FERGUSON  
ANTONIO HAYES  
CHARLES E. SYDNOR III, ESQ.  
MARY L. WASHINGTON, PH.D.



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## Voting Record – 2023 Regular Session

**Date:** March 17, 2023

**Bill/Resolution Number:** [SB 758](#)

**Title:** Baltimore City – Control Over Powers of Police Commissioner

**Sponsor:** Senator Jill Carter

**Motion:** Favorable with Amendment

Senator	YES	NO	ABSTAIN	ABSENT
Carter, Jill P. – Chair		✓		
Ferguson, Bill	✓			
Hayes, Antonio	✓			
McCray, Cory	✓			
Washington, Mary				✓

# SENATE BILL 758

L2

3lr2788  
CF 3lr2791

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By: **Senator Carter**

Introduced and read first time: February 6, 2023

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Control Over Powers of Police Commissioner**

3 FOR the purpose of repealing a prohibition on certain Baltimore City ordinances or acts of  
4 certain municipal officials from conflicting, impeding, obstructing, hindering, or  
5 interfering with the powers of the Baltimore City Police Commissioner; and  
6 generally relating to the Baltimore City Police Commissioner.

7 BY repealing and reenacting, with amendments,

8 The Charter of Baltimore City

9 Article II – General Powers

10 Section (27)

11 (2007 Replacement Volume, as amended)

12 (As enacted by Chapters 39 and 40 of the Acts of the General Assembly of 2009)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **The Charter of Baltimore City**

16 Article II – General Powers

17 The Mayor and City Council of Baltimore shall have full power and authority to  
18 exercise all of the powers heretofore or hereafter granted to it by the Constitution of  
19 Maryland or by any Public General or Public Local Laws of the State of Maryland; and in  
20 particular, without limitation upon the foregoing, shall have power by ordinance, or such  
21 other method as may be provided for in its Charter, subject to the provisions of said  
22 Constitution and Public General Laws:

23 (27)

24 To have and exercise within the limits of Baltimore City all the power commonly

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 known as the Police Power to the same extent as the State has or could exercise that power  
2 within the limits of Baltimore City[; provided, however, that no ordinance of the City or act  
3 of any municipal officer, other than an act of the Mayor pursuant to Article IV of this  
4 Charter, shall conflict, impede, obstruct, hinder or interfere with the powers of the Police  
5 Commissioner].

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
7 1, 2023.



**SB0758/313023/1**

AMENDMENTS PREPARED BY THE DEPT. OF LEGISLATIVE SERVICES
16 MAR 23 17:20:49

BY: Senator Hayes  
(To be offered in the Baltimore City Senate Delegation)

AMENDMENTS TO SENATE BILL 758  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “repealing” and substitute “altering”; in line 5, after the semicolon insert “repealing a prohibition on certain Baltimore City ordinances or acts of certain municipal officials from conflicting, impeding, obstructing, hindering, or interfering with the powers of the Baltimore City Police Commissioner; making a portion of this Act contingent on the passage and ratification, by a certain date, of a certain Baltimore City Charter amendment;”; and after line 12, insert:

“BY repealing and reenacting, with amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (27)  
(2007 Replacement Volume, as amended)  
(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 2, in lines 2 and 5, in each instance, strike the bracket; in line 5, before the period insert “OVER ANY DAILY MANAGEMENT DECISIONS, INCLUDING PERSONNEL OR STAFFING MATTERS AND DEPLOYMENT OR INVESTIGATIVE STRATEGIES”; and strike in their entirety lines 6 and 7 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**The Charter of Baltimore City**

Article II – General Powers

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:

(27)

To have and exercise within the limits of Baltimore City all the power commonly known as the Police Power to the same extent as the State has or could exercise that power within the limits of Baltimore City[; provided, however, that no ordinance of the City or act of any municipal officer, other than an act of the Mayor pursuant to Article IV of this Charter, shall conflict, impede, obstruct, hinder or interfere with the powers of the Police Commissioner over any daily management decisions, including personnel or staffing matters and deployment or investigative strategies].

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Section 2 of this Act is contingent on the passage and ratification by the voters of Baltimore City at either the 2024 or 2026 general election of an amendment to the Charter of Baltimore City that defines the Baltimore City Police Department and the powers of the Police Commissioner of Baltimore City in respect to daily management decisions, including personnel or staffing matters and deployment or investigative strategies, and any other matters the Baltimore City Council deems necessary under the Code of Public Local Laws of Baltimore City.

(b) (1) If an amendment to the Charter of Baltimore City that meets the requirements of subsection (a) of this section is ratified at the 2024 general election, Section 2 of this Act shall take effect January 1, 2025.

(2) If an amendment to the Charter of Baltimore City that meets the requirements of subsection (a) of this section is ratified at the 2026 general election, Section 2 of this Act shall take effect January 1, 2027.

(c) If an amendment to the Charter of Baltimore City that meets the requirements of subsection (a) of this section is not passed and ratified at either the 2024 or 2026 general election, Section 2 of this Act, with no further action required by the General Assembly, shall be null and void.

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2023.”.