

# HOUSE BILL 1188

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By: **Chair, Judiciary Committee (By Request – Departmental – General Services)**  
Introduced and read first time: February 23, 2015  
Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Capitol Police of the Department of General Services**

3 FOR the purpose of altering the definition of “police officer” and “law enforcement officer”  
4 under certain provisions of law; clarifying that the terms “police officer” and “law  
5 enforcement officer” include members of the Maryland Capitol Police of the  
6 Department of General Services; clarifying the description of the geographic area  
7 around certain multiservice centers over which the Department of General Services  
8 has police jurisdiction; specifying that the police and security force established by  
9 the Secretary of General Services is the Maryland Capitol Police of the Department  
10 of General Services; providing for the application of certain provisions of law; and  
11 generally relating to the Maryland Capitol Police of the Department of General  
12 Services.

13 BY repealing and reenacting, with amendments,  
14 Article – Criminal Procedure  
15 Section 2–101(c)(9)  
16 Annotated Code of Maryland  
17 (2008 Replacement Volume and 2014 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article – Health – General  
20 Section 18–213.2(a)(8)(ix) and (x)  
21 Annotated Code of Maryland  
22 (2009 Replacement Volume and 2014 Supplement)

23 BY adding to  
24 Article – Health – General  
25 Section 18–213.2(a)(8)(xi)  
26 Annotated Code of Maryland  
27 (2009 Replacement Volume and 2014 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,  
2 Article – Public Safety  
3 Section 3–101(e)(1)(ii)16. and 3–201(e)(1)(ii)11.  
4 Annotated Code of Maryland  
5 (2011 Replacement Volume and 2014 Supplement)

6 BY repealing and reenacting, with amendments,  
7 Article – State Finance and Procurement  
8 Section 4–601 and 4–605  
9 Annotated Code of Maryland  
10 (2009 Replacement Volume and 2014 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article – State Personnel and Pensions  
13 Section 26–201(a)(10) and (b)(9)  
14 Annotated Code of Maryland  
15 (2009 Replacement Volume and 2014 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Transportation  
18 Section 16–205.1(i)(3)(i)12.  
19 Annotated Code of Maryland  
20 (2012 Replacement Volume and 2014 Supplement)

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

23 **Article – Criminal Procedure**

24 2–101.

25 (c) “Police officer” means a person who in an official capacity is authorized by law  
26 to make arrests and is:

27 (9) a member of the **MARYLAND CAPITOL POLICE OF THE** Department  
28 of General Services [security force];

29 **Article – Health – General**

30 18–213.2.

31 (a) (8) “Law enforcement officer” means any individual who, in an official  
32 capacity, is authorized by law to make arrests and who is a member of one of the following  
33 law enforcement agencies:

34 (ix) The Field Enforcement Bureau of the Comptroller’s Office; [or]

1 (x) The Intelligence and Investigative Division of the Department of  
2 Public Safety and Correctional Services; OR

3 (XI) THE MARYLAND CAPITOL POLICE OF THE DEPARTMENT  
4 OF GENERAL SERVICES.

5 **Article – Public Safety**

6 3–101.

7 (e) (1) “Law enforcement officer” means an individual who:

8 (ii) is a member of one of the following law enforcement agencies:

9 16. the police force of the **MARYLAND CAPITOL POLICE OF**  
10 **THE** Department of General Services;

11 3–201.

12 (e) (1) “Police officer” means an individual who:

13 (ii) is a member of one of the following law enforcement agencies:

14 11. the police force of the **MARYLAND CAPITOL POLICE OF**  
15 **THE** Department of General Services;

16 **Article – State Finance and Procurement**

17 4–601.

18 The Department has jurisdiction over and full police authority for the enforcement  
19 of the criminal laws and the parking and motor vehicle laws as to the operation,  
20 maintenance, and protection of:

21 (1) buildings and grounds that, on June 30, 1984, were administered by the  
22 Office of Annapolis Public Buildings and Grounds, and extending to the surrounding area  
23 that encompasses 1,000 feet in any direction from the boundary of those buildings and  
24 grounds;

25 (2) buildings and grounds that, on June 30, 1984, were administered by the  
26 Office of Baltimore Public Buildings and Grounds, and extending to the surrounding area  
27 that encompasses 1,000 feet in any direction from the boundary of those buildings and  
28 grounds;

1 (3) multiservice centers designated by law or by the Board of Public Works  
2 **AND EXTENDING TO THE SURROUNDING AREA THAT ENCOMPASSES 1,000 FEET IN**  
3 **ANY DIRECTION FROM THE BOUNDARY OF THOSE MULTISERVICE CENTERS;** and

4 (4) other public improvements or grounds designated by law or by the  
5 Board of Public Works.

6 4–605.

7 (a) (1) In accordance with the provisions of the State Personnel and Pensions  
8 Article, the Secretary may establish a police and security force, **TO BE KNOWN AS THE**  
9 **MARYLAND CAPITOL POLICE OF THE DEPARTMENT OF GENERAL SERVICES,** to  
10 protect people and property on or about improvements, grounds, and multiservice centers  
11 under the jurisdiction of the Department, and in the surrounding areas of the buildings  
12 and grounds in Annapolis and Baltimore City as described in § 4–601(1) [and], (2), **AND**  
13 **(3)** of this subtitle.

14 (2) The police and security force may include sworn police officers.

15 (b) [A member of the police and security force may not be involuntarily  
16 transferred from a site to another site.

17 (c)] A member of the police and security force has the same powers as a sheriff or  
18 police officer under § 2–101 of the Criminal Procedure Article only if the member:

19 (1) meets the legal requirements set forth by the Maryland Police Training  
20 Commission; and

21 (2) is designated by the Department as a police officer.

## 22 **Article – State Personnel and Pensions**

23 26–201.

24 (a) Except as provided in subsection (b) of this section, this subtitle applies only  
25 to:

26 (10) a member of the **MARYLAND CAPITOL POLICE OF THE** Department  
27 of General Services [Police Force] who has the powers granted to a police officer under §  
28 4–605 of the State Finance and Procurement Article;

29 (b) This subtitle does not apply to:

30 (9) a member of the **MARYLAND CAPITOL POLICE OF THE** Department  
31 of General Services, Department of Health and Mental Hygiene, Motor Vehicle  
32 Administration, or Department of Labor, Licensing, and Regulation Police Force who

1 transferred from the Employees' Retirement System to the Employees' Pension System on  
2 or after April 1, 1998;

3 **Article – Transportation**

4 16–205.1.

5 (i) Notwithstanding any other provision of this section, a test for drug or  
6 controlled dangerous substance content under this section:

7 (3) May only be requested as described under subsection (b) of this section,  
8 required as described under subsection (c) of this section, or directed as described under  
9 subsection (d) of this section:

10 (i) In the case of a police officer who is a trainee, or who is  
11 participating directly or indirectly in a program of training described in paragraph (2) of  
12 this subsection, if the police officer is a member of, and is designated as a trainee or a  
13 participant by the head of:

14 12. The [security force] **MARYLAND CAPITOL POLICE** of the  
15 Department of General Services; or

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2015.