

SENATE BILL 43

L2

9lr0708

(PRE-FILED)

By: **Senator McCray**

Requested: November 13, 2018

Introduced and read first time: January 9, 2019

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 2019

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – ~~At-Will Supervisory~~ Members of the Command Staff of the**
3 **Police Department – Residency Requirements**

4 FOR the purpose of authorizing the Mayor and City Council of Baltimore to require a
5 certain ~~at-will supervisory member~~ members of the command staff of the Police
6 Department of Baltimore City to reside in ~~the State or Baltimore City or within a~~
7 ~~certain distance of the State or Baltimore City as a condition of employment under~~
8 ~~certain circumstances~~ Baltimore City; providing for the application of a certain local
9 law, ordinance, or policy enacted or adopted by the Mayor and City Council of
10 Baltimore; and generally relating to residency requirements for members of the
11 command staff of the Police Department of Baltimore City.

12 BY repealing and reenacting, without amendments,

13 The Public Local Laws of Baltimore City

14 Section 16–1(6), (7), and (8)

15 Article 4 – Public Local Laws of Maryland

16 (1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

17 BY adding to

18 The Public Local Laws of Baltimore City

19 Section 16–2A

20 Article 4 – Public Local Laws of Maryland

21 (1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

Article 4 – Baltimore City

16–1.

The following words and phrases as used in this subtitle shall have or include the following meanings.

(6) “Members of the department” shall mean and include all persons and personnel employed by the department, whether civilian employees or police officers.

(7) “Police officers” shall mean all those members of the department having and exercising the powers of police officers, as provided in this subtitle, and shall specifically include the Police Commissioner of Baltimore City, all deputy police commissioners, and such other ranks or positions which the Commissioner may determine require experience as a police officer as a prerequisite.

(8) “Civilian employees” shall mean all members of the department other than police officers.

~~16–2A.~~

~~THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY REQUIRE AN AT-WILL SUPERVISORY MEMBER OF THE DEPARTMENT TO RESIDE IN THE STATE OR BALTIMORE CITY OR WITHIN A SPECIFIED DISTANCE OF THE STATE OR BALTIMORE CITY AS A CONDITION OF EMPLOYMENT IF THE AT-WILL SUPERVISORY MEMBER OF THE DEPARTMENT:~~

~~(1) IS THE HEAD OF A UNIT OF THE DEPARTMENT; OR~~

~~(2) REPORTS DIRECTLY TO THE HEAD OF A UNIT OF THE DEPARTMENT.~~

16–2A.

THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY REQUIRE MEMBERS OF THE COMMAND STAFF OF THE DEPARTMENT, AT THE RANK OF CAPTAIN OR ABOVE, TO RESIDE IN BALTIMORE CITY.

SECTION 2. AND BE IT FURTHER ENACTED, That a local law, ordinance, or policy enacted or adopted by the Mayor and City Council of Baltimore in accordance with this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to the continued employment of any individual

1 employed by the Police Department of Baltimore City before the effective date of the local
2 law, ordinance, or policy.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.