

SENATE BILL 7

P3

(4lr1428)

ENROLLED BILL

— *Judicial Proceedings/Judiciary* —

Introduced by **Senator Bailey**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Law Enforcement Agencies – Positive Community Feedback**

3 FOR the purpose of adding *certain* positive community feedback to the list of records that
4 are not considered personnel records for certain purposes; requiring the Maryland
5 Police Training and Standards Commission to develop a process for citizens to
6 submit certain feedback; requiring each law enforcement agency to adopt the
7 uniform citizen positive community feedback process; requiring a law enforcement
8 agency to maintain a certain record that is subject to public inspection; and generally
9 relating to law enforcement agencies.

10 BY repealing and reenacting, with amendments,
11 Article – General Provisions
12 Section 4–311(c) and 4–351(a)
13 Annotated Code of Maryland
14 (2019 Replacement Volume and 2023 Supplement)

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.

Italics indicate opposite chamber/conference committee amendments.



1 BY adding to
2 Article – Public Safety
3 Section 3–207(m) and 3–519.1
4 Annotated Code of Maryland
5 (2022 Replacement Volume and 2023 Supplement)

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

8 **Article – General Provisions**

9 4–311.

10 (c) (1) Except as provided in paragraph (2) of this subsection, **THE**
11 **FOLLOWING RECORDS ARE NOT PERSONNEL RECORDS FOR THE PURPOSES OF THIS**
12 **SECTION:**

13 (I) a record relating to an administrative or criminal investigation
14 of misconduct by a police officer, including an internal affairs investigatory record[,];

15 (II) a hearing record[,];

16 (III) **A RECORD OF POSITIVE COMMUNITY FEEDBACK THAT WAS**
17 **NOT SOLICITED BY THE POLICE OFFICER WHO IS THE SUBJECT OF THE FEEDBACK;**
18 and

19 (IV) records relating to a disciplinary decision[, is not a personnel
20 record for purposes of this section].

21 (2) A record of a technical infraction is a personnel record for the purposes
22 of this section.

23 4–351.

24 (a) Subject to subsections (b), (c), and (d) of this section, a custodian may deny
25 inspection of:

26 (1) records of investigations conducted by the Attorney General, a State’s
27 Attorney, a municipal or county attorney, a police department, or a sheriff;

28 (2) an investigatory file compiled for any other law enforcement, judicial,
29 correctional, or prosecution purpose;

1 (3) records that contain intelligence information or security procedures of
2 the Attorney General, a State's Attorney, a municipal or county attorney, a police
3 department, a State or local correctional facility, or a sheriff; or

4 (4) records, other than a record of a technical infraction, relating to an
5 administrative or criminal investigation of misconduct by a police officer, including an
6 internal affairs investigatory record, a hearing record, **A RECORD OF POSITIVE**
7 **COMMUNITY FEEDBACK**, and records relating to a disciplinary decision.

8 Article – Public Safety

9 3–207.

10 (M) (1) **THE COMMISSION SHALL DEVELOP A UNIFORM CITIZEN POSITIVE**
11 **COMMUNITY FEEDBACK PROCESS TO BE FOLLOWED BY EACH LAW ENFORCEMENT**
12 **AGENCY.**

13 (2) **THE UNIFORM CITIZEN POSITIVE COMMUNITY FEEDBACK**
14 **PROCESS SHALL:**

15 (I) **BE SIMPLE; AND**

16 (II) **BE POSTED ON THE WEBSITE OF THE COMMISSION AND**
17 **EACH LAW ENFORCEMENT AGENCY.**

18 3–519.1.

19 (A) **EACH LAW ENFORCEMENT AGENCY SHALL ADOPT THE UNIFORM**
20 **CITIZEN POSITIVE COMMUNITY FEEDBACK PROCESS DEVELOPED BY THE**
21 **MARYLAND POLICE TRAINING AND STANDARDS COMMISSION UNDER § 3–207 OF**
22 **THIS TITLE.**

23 (B) **A LAW ENFORCEMENT AGENCY SHALL:**

24 (1) **POST THE AGENCY'S POSITIVE COMMUNITY FEEDBACK PROCESS**
25 **ON THE AGENCY'S WEBSITE IF THE AGENCY MAINTAINS A WEBSITE; AND**

26 (2) **MAINTAIN A RECORD OF POSITIVE COMMUNITY FEEDBACK FOR**
27 **ALL LAW ENFORCEMENT OFFICERS WITHIN THE AGENCY.**

28 (C) **NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RECORDS**
29 **MAINTAINED UNDER SUBSECTION (B) OF THIS SECTION ARE SUBJECT TO PUBLIC**
30 **INSPECTION IN ACCORDANCE WITH THE MARYLAND PUBLIC INFORMATION ACT.**

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1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.