

HOUSE BILL 1373

E4, F3

9lr3269

By: **Delegate Glenn**

Introduced and read first time: February 20, 2019

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – School Resource Officers – Firearms**

3 FOR the purpose of repealing a certain provision of law that requires a school resource
4 officer in Baltimore City to be assigned permanently or temporarily to a school or be
5 on school property to carry a certain weapon; authorizing a school resource officer in
6 Baltimore City to carry a certain weapon on school premises; authorizing a school
7 resource officer in Baltimore City to carry a certain weapon off school premises if the
8 officer is acting in an official capacity; and generally relating to Baltimore City school
9 resource officers.

10 BY repealing and reenacting, without amendments,
11 Article – Education
12 Section 4–318(a) and 7–1501(a) and (j)
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2018 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Education
17 Section 4–318(d)
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2018 Supplement)

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

22 **Article – Education**

23 4–318.

24 (a) In this section, “Baltimore City school police officer” means any person who,
25 when acting in an official capacity, is authorized by law to make arrests and who is a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 member of the Baltimore City School Police Force.

2 (d) (1) Except as provided in paragraph (3) of this subsection, a Baltimore City
3 school police officer has all the powers of a law enforcement officer in the State.

4 (2) (i) A Baltimore City school police officer may act in an official
5 capacity only on the premises of schools and any other property used for educational
6 purposes owned, leased, or operated by, or under the control of the Baltimore City Board of
7 School Commissioners.

8 (ii) A Baltimore City school police officer may not act in an official
9 capacity on any other property unless:

10 1. Engaged in fresh pursuit of a suspected offender;

11 2. Requested or authorized to do so by the Police
12 Commissioner of Baltimore City;

13 3. The exercise of power is necessary to facilitate the orderly
14 flow of traffic to and from property owned, leased, operated by, or under the control of the
15 Baltimore City School System; or

16 4. Ordered to do so by the Mayor of Baltimore City.

17 (3) (i) Notwithstanding any other provision of law, a Baltimore City
18 school police officer [whose permanent or temporary assignment is at a school or on school
19 property] may carry a firearm [on]:

20 1. **ON** the premises of [the] A school [to which the officer is
21 assigned before or after regular school hours] on school days and on days other than school
22 days; **AND**

23 2. **OFF THE PREMISES OF A SCHOOL IF THE OFFICER IS**
24 **ACTING IN AN OFFICIAL CAPACITY.**

25 (ii) The Baltimore City Board of School Commissioners shall
26 establish policies to implement the provisions of subparagraph (i) of this paragraph.

27 7–1501.

28 (a) In this subtitle the following words have the meanings indicated.

29 (j) “School resource officer” means:

30 (1) A law enforcement officer as defined under § 3–101(e) of the Public
31 Safety Article who has been assigned to a school in accordance with a memorandum of

1 understanding between the chief of a law enforcement agency as defined under § 3–101(b)
2 of the Public Safety Article and the local education agency; or

3 (2) A Baltimore City school police officer, as defined in § 4–318 of this
4 article.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2019.