

SENATE BILL 949

E4, F2

2lr2105

By: ~~Senator Smith~~ Senator Elfreth

Introduced and read first time: February 13, 2022

Assigned to: Rules

Re-referred to: Judicial Proceedings, February 21, 2022

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 22, 2022

CHAPTER _____

1 AN ACT concerning

2 ~~Police Officers – Education Requirements – Certification and Scholarships~~
3 Scholarships and Police Officer Recruitment

4 FOR the purpose of ~~establishing certain degree requirements for certification and~~
5 ~~recertification as a police officer~~; requiring law enforcement agencies ~~to provide~~
6 ~~work-related administrative leave to certain police officers and~~ to develop and
7 implement certain recruitment policies; expanding the Edward T. Conroy and Mary
8 A. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial
9 Scholarship Program to include certain postsecondary institutions outside the State
10 as eligible institutions that may award scholarships under the programs;
11 ~~establishing the Continuing Education for Police Officers Scholarship~~; the Police
12 Officers Educational Benefit Scholarship ~~I, I~~ and the Police Officers Educational
13 Benefit Scholarship II; and generally relating to police officer ~~certification~~
14 recruitment and scholarships.

15 BY repealing and reenacting, without amendments,
16 Article – Public Safety
17 Section 3–201(a) and (b) and 3–209(a)(3) and (4) and (b)
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2021 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Public Safety
22 Section 3–207(a)(20) ~~and 3–209(a)(3) and (4) and (b)~~

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.



Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY adding to

Article – Public Safety
Section ~~3–209(a)(4)~~ and 3–209.3
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 18–101(a), (b), and (c), ~~18–103, and 18–601~~
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section 18–103 and 18–601
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY adding to

Article – Education
Section 18–3901 through ~~18–3905~~ 18–3904 to be under the new subtitle “Subtitle 39.
Scholarships for Police Officers and Their Dependents”
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Public Safety

3–201.

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

(b) “Commission” means the Maryland Police Training and Standards
Commission.

3–207.

(a) The Commission has the following powers and duties:

(20) **(I)** to evaluate and modernize recruitment standards and practices
of law enforcement agencies to increase diversity within those law enforcement agencies

1 and develop strategies for recruiting women and African American, Hispanic or Latino, and
2 other minority candidates; AND

3 (II) TO REQUIRE LAW ENFORCEMENT AGENCIES TO DEVELOP
4 AND IMPLEMENT POLICIES FOR RECRUITMENT AT HISTORICALLY BLACK COLLEGES
5 AND UNIVERSITIES IN THE STATE;

6 3-209.

7 (a) The Commission shall certify as a police officer each individual who:

8 (3) submits to a criminal history records check in accordance with §
9 3-209.1 of this subtitle; ~~and~~

10 ~~(4) HOLDS AN ASSOCIATE'S OR BACHELOR'S DEGREE IN ACCORDANCE~~
11 ~~WITH § 3-209.3 OF THIS SUBTITLE; AND~~

12 ~~[(4)] (5)~~ (i) is a United States citizen; or

13 (ii) subject to subsection (b) of this section, is a permanent legal
14 resident of the United States and an honorably discharged veteran of the United States
15 armed forces, provided that the individual has applied to obtain United States citizenship
16 and the application is still pending approval.

17 (b) ~~(1)~~ The certification of a police officer who fails to obtain United States
18 citizenship as required by subsection ~~[(a)(4)(ii)] (A)(5)(ii)~~ of this section shall be
19 terminated by the Commission.

20 ~~(2) A POLICE OFFICER WHO FAILS TO OBTAIN A BACHELOR'S DEGREE~~
21 ~~IN ACCORDANCE WITH § 3-209.3 OF THIS SUBTITLE MAY NOT BE RECERTIFIED BY~~
22 ~~THE COMMISSION.~~

23 3-209.3.

24 (A) ~~IN THIS SECTION, "APPLICANT" MEANS AN INDIVIDUAL WHO IS SEEKING~~
25 ~~CERTIFICATION AS A POLICE OFFICER.~~

26 (B) ~~AN APPLICANT FOR CERTIFICATION AS A POLICE OFFICER SHALL AT~~
27 ~~MINIMUM HOLD AN ASSOCIATE DEGREE.~~

28 (C) ~~A POLICE OFFICER SHALL AT MINIMUM HOLD A BACHELOR'S DEGREE~~
29 ~~WITHIN 6 YEARS OF BEING CERTIFIED.~~

30 (D) ~~EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE REASONABLE~~
31 ~~WORK-RELATED ADMINISTRATIVE LEAVE, AS PROVIDED IN § 2-410 OF THIS~~

~~ARTICLE, TO A POLICE OFFICER WHO IS ATTEMPTING TO SATISFY THE DEGREE REQUIREMENT UNDER SUBSECTION (C) OF THIS SECTION.~~

~~(E)~~ **(1)** ON OR BEFORE APRIL 1, 2023, AND EACH YEAR THEREAFTER, EACH LAW ENFORCEMENT AGENCY SHALL REPORT TO THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES ON THE EDUCATION LEVEL OF ALL POLICE OFFICERS EMPLOYED BY THE AGENCY.

~~(2)~~ **(B)** THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES SHALL COMPILE THE INFORMATION REPORTED BY THE LOCAL LAW ENFORCEMENT AGENCIES UNDER ~~PARAGRAPH (1) OF THIS SUBSECTION~~ **SUBSECTION (A) OF THIS SECTION** AND SUBMIT AN ANNUAL SUMMARY REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

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

Article – Education

18–101.

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

(b) “Commission” means the Maryland Higher Education Commission.

(c) “Office” means the Office of Student Financial Assistance.

18–103.

Except as otherwise provided in Subtitles 3, 4, 5, 6, and 12 of this title, a scholarship, grant, loan, or other student financial assistance awarded by the Office may be used only at a public or private nonprofit institution of higher education in this State that possesses a certificate of approval from the Commission.

18–601.

(a) (1) In this section the following words have the meanings indicated.

(2) “Disabled public safety employee” means a State or local public safety employee who sustains an injury in the line of duty that:

(i) Precludes the individual from continuing to serve or be employed as a State or local public safety employee; and

(ii) In the case of a volunteer member of a fire department or ambulance or rescue company or squad, precludes the member from continuing to be employed in the nonpublic safety occupation in which the member is engaged at the time of the injury.

(3) “Fund” means the Edward T. Conroy and Jean B. Cryor Scholarship Fund.

(4) “School employee” includes an employee of a public or nonpublic school in the State.

(5) “State or local public safety employee” means a person who is employed in the State as:

(i) A career or volunteer member of a:

1. Fire department;

2. Ambulance company or squad; or

3. Rescue company or squad;

(ii) A law enforcement officer;

(iii) A correctional officer; or

(iv) A member of the Maryland National Guard who was a resident of this State at the time of death.

(6) “Surviving spouse” means a person who has not remarried.

(7) “Victim of the September 11, 2001, terrorist attacks” means a Maryland resident who was killed as a result of the attacks on the World Trade Center in New York City, the attack on the Pentagon in Virginia, or the crash of United Airlines Flight 93 in Pennsylvania.

(b) There is a program of scholarships that are awarded by eligible postsecondary institutions under this section.

(c) (1) The program for military and public safety personnel and their eligible dependents is the Edward T. and Mary A. Conroy Memorial Scholarship Program.

(2) The program for eligible dependents of public and nonpublic school employees is the Jean B. Cryor Memorial Scholarship Program.

(d) (1) A person may apply to an eligible postsecondary institution for a scholarship under this section if the person:

1 (i) 1. Is accepted for admission or enrolled in the regular
2 undergraduate, graduate or professional program at an eligible institution IN THE STATE
3 OR OUTSIDE THE STATE; or

4 2. Is enrolled in a 2-year terminal certificate program in
5 which the course work is acceptable for transfer credit for an accredited baccalaureate
6 program in an eligible institution IN THE STATE OR OUTSIDE THE STATE;

7 (ii) Is at least 16 years old; and

8 (iii) Meets the other eligibility criteria specified in this section.

9 (2) To apply for a scholarship under this section, the following persons are
10 required to be a resident of Maryland at the time of application or at the time of the
11 disabling or fatal event:

12 (i) A son, daughter, stepson, or stepdaughter of a member of the
13 armed forces who:

14 1. Died as a result of military service after December 7, 1941;

15 2. Suffered a service connected 100% permanent disability
16 after December 7, 1941; or

17 3. Was declared to be a prisoner of war or missing in action,
18 if that occurred on or after January 1, 1960, as a result of the Vietnam conflict, and if the
19 child was born prior to or while the parent was a prisoner of war or missing in action;

20 (ii) A prisoner of war or missing in action, if that occurred on or after
21 January 1, 1960, as a result of the Vietnam conflict and was a resident of this State at the
22 time the person was declared to be a prisoner of war or missing in action;

23 (iii) A veteran, as defined under § 9-901 of the State Government
24 Article, who:

25 1. Suffers a service connected disability of 25% or greater;
26 and

27 2. Has exhausted or is no longer eligible for federal veterans'
28 educational benefits;

29 (iv) The surviving spouse of a member of the armed forces who
30 suffered a service connected 100% permanent disability;

31 (v) A son, daughter, stepson, or stepdaughter of or the surviving
32 spouse of a victim of the September 11, 2001, terrorist attacks;

(vi) A son, daughter, stepson, or stepdaughter of a school employee who, as a result of an act of violence:

1. Died in the line of duty; or

2. Sustained an injury in the line of duty that rendered the school employee 100% disabled; or

(vii) The surviving spouse of a school employee who, as a result of an act of violence:

1. Died in the line of duty; or

2. Sustained an injury in the line of duty that rendered the school employee 100% disabled.

(3) To apply for a scholarship under this section, the following persons are not required to be a resident of Maryland at the time of application or at the time of the disabling or fatal event:

(i) 1. A son, daughter, stepson, or stepdaughter of any State or local public safety employee killed in the line of duty; or

2. The surviving spouse of any State or local public safety employee killed in the line of duty; or

(ii) 1. A disabled public safety employee;

2. A son, daughter, stepson, or stepdaughter of a disabled public safety employee who sustains an injury in the line of duty that renders the public safety employee 100% disabled; or

3. The surviving spouse of a disabled public safety employee who sustains an injury in the line of duty that renders the public safety employee 100% disabled.

(e) A scholarship awarded under this section:

(1) May be used for the tuition and mandatory fees at any eligible institution; and

(2) May not:

(i) Exceed the equivalent annual tuition and mandatory fees of a resident undergraduate student at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland Global Campus

1 and University of Maryland, Baltimore Campus, with the highest annual expenses for a
2 full-time resident undergraduate; and

3 (ii) Be less than the lesser of:

4 1. \$3,000; or

5 2. The equivalent annual tuition and mandatory fees of a
6 resident of the institution attended by the recipient of the scholarship.

7 (f) (1) Each postsecondary institution shall determine the eligibility of
8 persons who apply to the institution for the Edward T. Conroy Memorial Scholarship
9 Program and the Jean B. Cryor Memorial Scholarship Program.

10 (2) Funds for the Edward T. Conroy Memorial Scholarship Program and
11 the Jean B. Cryor Memorial Scholarship Program shall be allocated by the Commission to
12 each postsecondary institution based on the number of eligible recipients attending each
13 institution.

14 (3) In October and February of each year, each postsecondary institution
15 shall report to the Commission the number of eligible recipients attending the institution.

16 (4) The Commission shall allocate funds for awards to postsecondary
17 institutions upon verification of eligible recipients attending the institutions.

18 (5) If funds cannot be allocated in the fiscal year in which awards are made,
19 priority shall be given to allocating funds for those awards in the following fiscal year.

20 (g) (1) Each recipient of a scholarship under this section may hold the award
21 for 5 years of full-time study or 8 years of part-time study.

22 (2) The number of eligible recipients under subsection (d)(2)(iii) of this
23 section shall be limited to 15 each year.

24 (3) An award provided under subsection (d)(2)(v) of this section may not
25 exceed the amount specified in subsection (e)(2) of this section when combined with any
26 other scholarship received by a student based on the student's status as a child or spouse
27 of a victim of the September 11, 2001, terrorist attacks.

28 (h) (1) There is an Edward T. Conroy and Jean B. Cryor Scholarship Fund.

29 (2) The Commission shall administer the Fund.

30 (3) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of
31 the State Finance and Procurement Article.

(4) The State Treasurer shall hold the Fund and the Comptroller shall account for the Fund.

(5) The Commission:

(i) May accept any gift or grant from any person for the Fund;

(ii) Shall use any gift or grant that it receives for a scholarship from the programs; and

(iii) Shall deposit any gift or grant that it receives for the programs with the State Treasurer.

SUBTITLE 39. SCHOLARSHIPS FOR POLICE OFFICERS AND THEIR DEPENDENTS.

18-3901.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “ELIGIBLE INSTITUTION” MEANS A PUBLIC OR PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE THAT POSSESSES A CERTIFICATE OF APPROVAL FROM THE COMMISSION.

(C) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE.

(D) “TECHNICAL INFRACTION” MEANS A MINOR RULE VIOLATION BY A POLICE OFFICER RELATED TO THE ENFORCEMENT OF ADMINISTRATIVE RULES THAT:

(1) DOES NOT INVOLVE AN INTERACTION BETWEEN A MEMBER OF THE PUBLIC AND THE POLICE OFFICER;

(2) DOES NOT RELATE TO THE POLICE OFFICER’S INVESTIGATIVE, ENFORCEMENT, TRAINING, SUPERVISION, OR REPORTING RESPONSIBILITIES; AND

(3) IS NOT OTHERWISE A MATTER OF PUBLIC CONCERN.

~~18-3902.~~

~~(A) IN THIS SECTION, “SCHOLARSHIP” MEANS THE CONTINUING EDUCATION FOR POLICE OFFICERS SCHOLARSHIP.~~

~~(B) THERE IS A CONTINUING EDUCATION FOR POLICE OFFICERS SCHOLARSHIP.~~

~~(C) AN INDIVIDUAL MAY APPLY TO THE OFFICE FOR THE SCHOLARSHIP IF THE INDIVIDUAL IS:~~

~~(1) A CERTIFIED POLICE OFFICER;~~

~~(2) ACCEPTED FOR ADMISSION OR ENROLLED IN THE REGULAR UNDERGRADUATE PROGRAM AT AN ELIGIBLE INSTITUTION; AND~~

~~(3) ATTEMPTING TO SATISFY THE DEGREE REQUIREMENT UNDER § 3-209.3(C) OF THE PUBLIC SAFETY ARTICLE.~~

~~(D) ALL APPLICANTS WHO FULFILL THE REQUIREMENTS ESTABLISHED IN SUBSECTION (C) OF THIS SECTION SHALL RECEIVE A SCHOLARSHIP.~~

~~(E) A SCHOLARSHIP AWARDED UNDER THIS SECTION:~~

~~(1) MAY BE USED FOR THE TUITION AND FEES AT ANY ELIGIBLE INSTITUTION FOR UP TO 60 CREDITS TOWARD A BACHELOR'S DEGREE; AND~~

~~(2) MAY BE UP TO 100% OF THE EQUIVALENT ANNUAL TUITION AND FEES OF A RESIDENT UNDERGRADUATE STUDENT AT THE UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS.~~

~~18-3903. 18-3902.~~

(A) IN THIS SECTION, "SCHOLARSHIP" MEANS THE POLICE OFFICERS EDUCATIONAL BENEFIT SCHOLARSHIP I.

(B) THERE IS A POLICE OFFICERS EDUCATIONAL BENEFIT SCHOLARSHIP I.

(C) AN INDIVIDUAL MAY APPLY TO THE OFFICE FOR THE SCHOLARSHIP IF THE INDIVIDUAL IS:

(1) A CURRENT OR FORMER CERTIFIED POLICE OFFICER WHO:

(I) HAS BEEN EMPLOYED IN THAT CAPACITY FOR A MINIMUM OF 5 YEARS;

(II) IS A CURRENT RESIDENT OF THE STATE; AND

(III) HAS NOT BEEN REPRIMANDED FOR MISCONDUCT
EXCLUDING TECHNICAL INFRACTIONS; OR

(2) A DEPENDENT CHILD OF A POLICE OFFICER UNDER ITEM (1) OF
THIS SUBSECTION, IF A SCHOLARSHIP HAS NOT ALREADY BEEN AWARDED UNDER
THIS SECTION TO THE POLICE OFFICER OR ANOTHER DEPENDENT CHILD OF THE
POLICE OFFICER.

(D) ALL APPLICANTS WHO FULFILL THE REQUIREMENTS ESTABLISHED IN
SUBSECTION (C) OF THIS SECTION SHALL RECEIVE A SCHOLARSHIP.

(E) A POLICE OFFICER IS NO LONGER ELIGIBLE TO APPLY FOR A
SCHOLARSHIP UNDER THIS SECTION IF THEIR DEPENDENT CHILD HAS APPLIED.

(F) A SCHOLARSHIP AWARDED UNDER THIS SECTION:

(1) MAY BE USED FOR THE TUITION AT ANY ELIGIBLE INSTITUTION
FOR UP TO 60 CREDITS; AND

(2) MAY BE UP TO 100% OF THE EQUIVALENT ANNUAL TUITION OF A
RESIDENT UNDERGRADUATE STUDENT AT THE UNIVERSITY OF MARYLAND,
COLLEGE PARK CAMPUS.

~~18-3904. 18-3903.~~

(A) IN THIS SECTION, "SCHOLARSHIP" MEANS THE POLICE OFFICERS
EDUCATIONAL BENEFIT SCHOLARSHIP II.

(B) THERE IS A POLICE OFFICERS EDUCATIONAL BENEFIT SCHOLARSHIP
II.

(C) AN INDIVIDUAL MAY APPLY TO THE OFFICE FOR THE SCHOLARSHIP IF
THE INDIVIDUAL IS:

(1) A CURRENT OR FORMER CERTIFIED POLICE OFFICER WHO:

(I) HAS BEEN EMPLOYED IN THAT CAPACITY FOR A MINIMUM
OF 10 YEARS;

(II) IS A CURRENT RESIDENT OF THE STATE; AND

~~(III) HAS NOT BEEN AWARDED THE CONTINUING EDUCATION
FOR POLICE OFFICERS SCHOLARSHIP UNDER § 18-3902 OF THIS SUBTITLE; AND~~

~~(IV)~~ (III) HAS NOT BEEN REPRIMANDED FOR MISCONDUCT
EXCLUDING TECHNICAL INFRACTIONS; OR

(2) A DEPENDENT CHILD OF A POLICE OFFICER UNDER ITEM (1) OF
THIS SUBSECTION, IF A SCHOLARSHIP HAS NOT ALREADY BEEN AWARDED UNDER
THIS SECTION TO THE POLICE OFFICER OR ANOTHER DEPENDENT CHILD OF THE
POLICE OFFICER.

(D) ALL APPLICANTS WHO FULFILL THE REQUIREMENTS ESTABLISHED IN
SUBSECTION (C) OF THIS SECTION SHALL RECEIVE A SCHOLARSHIP.

(E) A POLICE OFFICER IS NO LONGER ELIGIBLE TO APPLY FOR A
SCHOLARSHIP UNDER THIS SECTION IF THEIR DEPENDENT CHILD HAS APPLIED.

(F) A SCHOLARSHIP AWARDED UNDER THIS SECTION:

(1) MAY BE USED FOR THE TUITION AT ANY ELIGIBLE INSTITUTION
FOR UP TO:

(I) 120 CREDITS; OR

(II) 60 CREDITS IF THE POLICE OFFICER OR A DEPENDENT
CHILD OF THE POLICE OFFICER WAS AWARDED THE POLICE OFFICERS
EDUCATIONAL BENEFIT SCHOLARSHIP I UNDER ~~§ 18-3903~~ § 18-3902 OF THIS
SUBTITLE; AND

(2) MAY BE UP TO 100% OF THE EQUIVALENT ANNUAL TUITION OF A
RESIDENT UNDERGRADUATE STUDENT AT THE UNIVERSITY OF MARYLAND,
COLLEGE PARK CAMPUS.

~~18-3905.~~ 18-3904.

(A) THE COMMISSION MAY ADOPT ANY REGULATIONS NECESSARY TO
IMPLEMENT THIS SUBTITLE.

(B) THE OFFICE SHALL ESTABLISH THE APPLICATION AND AWARD
PROCESSES FOR THE SCHOLARSHIPS UNDER THIS SUBTITLE.

(C) FOR FISCAL YEAR 2024 AND EACH YEAR THEREAFTER, THE GOVERNOR
SHALL PROVIDE SUFFICIENT FUNDS IN THE BUDGET TO EQUAL 100% OF THE VALUE
OF THE SCHOLARSHIPS AWARDED UNDER THIS SUBTITLE.

~~SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be
construed to apply only prospectively and may not be applied or interpreted to have any
effect on or application to any police officers certified before the effective date of this Act.~~

1 SECTION ~~4~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.