

# SENATE BILL 181

M1, M2

7lr1173

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By: **Senator Simonaire**

Introduced and read first time: January 18, 2017

Assigned to: Education, Health, and Environmental Affairs and Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Natural Resources Police Conditions of Sentencing, Probation, Parole, or~~  
3 ~~Mandatory Release Supervision Database~~  
4 Task Force to Study Data Sharing Among the Maryland Judiciary, the  
5 Maryland Parole Commission, and the Department of Natural Resources

6 FOR the purpose of ~~requiring the Maryland Judiciary to notify the Department of Natural~~  
7 ~~Resources of any person who is subject to a condition of sentencing or probation that~~  
8 ~~specifically prohibits the person from operating a motorized vessel or a sailboat on~~  
9 ~~the waters of the State or any recreational or commercial hunting activity in the~~  
10 ~~State; requiring the Department of Public Safety and Correctional Services to notify~~  
11 ~~the Department of Natural Resources of any person who is subject to any terms and~~  
12 ~~conditions of parole or mandatory release supervision that specifically prohibit the~~  
13 ~~person from operating a motorized vessel or a sailboat on the waters of the State or~~  
14 ~~any recreational or commercial hunting activity in the State; requiring the~~  
15 ~~Department of Natural Resources to establish and maintain a certain database of~~  
16 ~~the persons reported by the Maryland Judiciary and the Department of Public Safety~~  
17 ~~and Correctional Services as subject to certain conditions of sentencing, probation,~~  
18 ~~parole, or mandatory release supervision and to ensure that the database is available~~  
19 ~~to Natural Resources police officers; and generally relating to the establishment and~~  
20 ~~maintenance of a Natural Resources police database of persons subject to certain~~  
21 ~~conditions of sentencing, probation, parole, or mandatory release supervision~~  
22 establishing the Task Force to Study Data Sharing Among the Maryland Judiciary,  
23 the Maryland Parole Commission, and the Department of Natural Resources;  
24 providing for the composition, chair, and staffing of the Task Force; prohibiting a  
25 member of the Task Force from receiving certain compensation, but authorizing the

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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.



reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Data Sharing Among the Maryland Judiciary, the Maryland Parole Commission, and the Department of Natural Resources.

~~BY repealing and reenacting, without amendments,  
Article — Natural Resources  
Section 1—201.1  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)~~

~~BY adding to  
Article — Natural Resources  
Section 1—211  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)~~

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

(a) There is a Task Force to Study Data Sharing Among the Maryland Judiciary, the Maryland Parole Commission, and the Department of Natural Resources.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, who is a member of the Maryland Legislative Sportsmen's Caucus, appointed by the President of the Senate;

(2) one member of the House of Delegates, who is a member of the Maryland Legislative Sportsmen's Caucus, appointed by the Speaker of the House;

(3) the Secretary of Natural Resources, or the Secretary's designee;

(4) the Secretary of Public Safety and Correctional Services, or the Secretary's designee;

(5) the Secretary of the Department of Information Technology, or the Secretary's designee;

(6) one representative of the Maryland Judiciary;

(7) the Administrator of the Motor Vehicle Administration, or the Administrator's designee;

(8) the Chair of the Maryland Parole Commission, or the Chair's designee;

1           (9) the Superintendent of the Natural Resources Police, or the  
2 Superintendent's designee; and

3           (10) the Public Defender of Maryland, or the Public Defender's designee.

4           (c) The Task Force shall select a chair from among its members.

5           (d) The Department of Natural Resources shall provide staff for the Task Force.

6           (e) A member of the Task Force:

7           (1) may not receive compensation as a member of the Task Force; but

8           (2) is entitled to reimbursement for expenses under the Standard State  
9 Travel Regulations, as provided in the State budget.

10          (f) The Task Force shall:

11           (1) review the current process for data sharing among the Maryland  
12 Judiciary, the Maryland Parole Commission, and the Department of Natural Resources;

13           (2) identify ways to improve the sharing of data regarding conditions of  
14 sentencing, probation, parole, or mandatory release supervision with the Department of  
15 Natural Resources;

16           (3) identify procedures and measures that can be established for sharing  
17 data from the Natural Resources Police with the Maryland Judiciary for use in determining  
18 conditions of sentencing, probation, parole, or mandatory release supervision;

19           (4) examine methods for establishing a multi-agency numbering system  
20 that would apply to:

21           (i) hunting and fishing activities; and

22           (ii) vessel operations and registration;

23           (5) examine data sharing under the Interstate Wildlife Violator Compact  
24 and mechanisms for coordinating seamlessly between agencies; and

25           (6) make recommendations regarding ways to improve data sharing among  
26 the Maryland Judiciary, the Maryland Parole Commission, and the Department of Natural  
27 Resources.

28           (g) On or before December 31, 2018, the Task Force shall report its findings and  
29 recommendations, in accordance with § 2-1246 of the State Government Article, to the  
30 Senate Education, Health, and Environmental Affairs Committee, the Senate Judicial

Proceedings Committee, the House Environment and Transportation Committee, and the House Judiciary Committee.

~~Article — Natural Resources~~

~~1-201.1.~~

~~(a) There is a Natural Resources Police Force in the Department that serves as a public safety agency with statewide authority to enforce conservation, boating, and criminal laws.~~

~~(b) The responsibilities of the Natural Resources Police Force include:~~

~~(1) Providing maritime and rural search and rescue services;~~

~~(2) Providing public education in hunting, boating, and water safety;~~

~~(3) Providing primary law enforcement services for State parks, State forests, wildlife management areas, and public lands owned and managed by the Department; and~~

~~(4) Serving as the lead agency for maritime homeland security on State waterways.~~

~~1-211.~~

~~(A) (1) THE MARYLAND JUDICIARY SHALL NOTIFY THE DEPARTMENT OF ANY PERSON WHO IS SUBJECT TO A CONDITION OF SENTENCING OR PROBATION THAT SPECIFICALLY PROHIBITS THE PERSON FROM ENGAGING IN:~~

~~(I) THE OPERATION OF A MOTORIZED VESSEL OR A SAILBOAT ON THE WATERS OF THE STATE; OR~~

~~(II) ANY RECREATIONAL OR COMMERCIAL HUNTING ACTIVITY IN THE STATE.~~

~~(2) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL NOTIFY THE DEPARTMENT OF ANY PERSON WHO IS SUBJECT TO ANY TERMS AND CONDITIONS OF PAROLE OR MANDATORY RELEASE SUPERVISION THAT SPECIFICALLY PROHIBIT THE PERSON FROM ENGAGING IN:~~

~~(I) THE OPERATION OF A MOTORIZED VESSEL OR A SAILBOAT ON THE WATERS OF THE STATE; OR~~

~~(II) ANY RECREATIONAL OR COMMERCIAL HUNTING ACTIVITY IN THE STATE.~~

1           **~~(B) THE DEPARTMENT SHALL:~~**

2                   **~~(1) ESTABLISH AND MAINTAIN AN UP-TO-DATE DATABASE OF THE~~**  
3 **~~PERSONS REPORTED BY THE MARYLAND JUDICIARY AND THE DEPARTMENT OF~~**  
4 **~~PUBLIC SAFETY AND CORRECTIONAL SERVICES UNDER THIS SECTION AS SUBJECT~~**  
5 **~~TO CONDITIONS OF SENTENCING, PROBATION, PAROLE, OR MANDATORY RELEASE~~**  
6 **~~SUPERVISION; AND~~**

7                   **~~(2) ENSURE THAT THE DATABASE IS AVAILABLE TO NATURAL~~**  
8 **~~RESOURCES POLICE OFFICERS.~~**

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 ~~October~~ June 1, 2017. It shall remain effective for a period of 2 years and, at the end of May  
11 31, 2019, with no further action required by the General Assembly, this Act shall be  
12 abrogated and of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.