

SENATE BILL 949

E4, F2

2lr2105

By: **Senator Smith**

Introduced and read first time: February 13, 2022

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Police Officers – Education Requirements – Certification and Scholarships**

3 FOR the purpose of establishing certain degree requirements for certification and
4 recertification as a police officer; requiring law enforcement agencies to provide
5 work-related administrative leave to certain police officers and to develop and
6 implement certain recruitment policies; establishing the Continuing Education for
7 Police Officers Scholarship, the Police Officers Educational Benefit Scholarship I,
8 and the Police Officers Educational Benefit Scholarship II; and generally relating to
9 police officer certification and scholarships.

10 BY repealing and reenacting, without amendments,
11 Article – Public Safety
12 Section 3–201(a) and (b)
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2021 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Public Safety
17 Section 3–207(a)(20) and 3–209(a)(3) and (4) and (b)
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2021 Supplement)

20 BY adding to
21 Article – Public Safety
22 Section 3–209(a)(4) and 3–209.3
23 Annotated Code of Maryland
24 (2018 Replacement Volume and 2021 Supplement)

25 BY repealing and reenacting, without amendments,
26 Article – Education
27 Section 18–101(a), (b), and (c)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

BY adding to

Article – Education

Section 18–3901 through 18–3905 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
and develop strategies for recruiting women and African American, Hispanic or Latino, and
other minority candidates; **AND**

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

3–209.

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

(3) submits to a criminal history records check in accordance with §
3–209.1 of this subtitle; [and]

**(4) HOLDS AN ASSOCIATE’S OR BACHELOR’S DEGREE IN ACCORDANCE
WITH § 3–209.3 OF THIS SUBTITLE; AND**

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

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

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

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

3-209.3.

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

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

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

(D) EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE REASONABLE 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) 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 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.

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.

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

3 **(1) A CERTIFIED POLICE OFFICER;**

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

6 **(3) ATTEMPTING TO SATISFY THE DEGREE REQUIREMENT UNDER §**
7 **3-209.3(C) OF THE PUBLIC SAFETY ARTICLE.**

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

10 **(E) A SCHOLARSHIP AWARDED UNDER THIS SECTION:**

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

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

16 **18-3903.**

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

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

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

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

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

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

27 **(III) HAS NOT BEEN REPRIMANDED FOR MISCONDUCT**
28 **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.

(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;

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

(IV) 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 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.

(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. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2022.