

HB0188/313026/1

BY: Judiciary Committee

AMENDMENTS TO HOUSE BILL 188
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Cardin**” and substitute “**Delegates Cardin, Kaufman, and Conaway**”; in line 4, after “of” insert “altering a requirement for a law enforcement agency to file administrative charges relating to alleged police officer misconduct that is required to be reviewed by an administrative charging committee within a certain period of time;”; in line 7, strike “after the incident that led to the investigation”; and in the same line, after the semicolon, insert “requiring an administrative charging committee or law enforcement agency to file any administrative charges for alleged police officer misconduct that reasonably appears to be the subject of a criminal investigation within a certain period of time;”.

AMENDMENT NO. 2

On page 1, in line 22, strike “The” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, FOR AN INCIDENT INVOLVING A MEMBER OF THE PUBLIC AND A POLICE OFFICER, THE**”.

On page 2, strike line 1 in its entirety and substitute “**DATE THAT A COMPLAINT IS FILED BY A MEMBER OF THE PUBLIC OR THE DATE THAT THE APPROPRIATE OFFICIAL EMPLOYED BY THE LAW ENFORCEMENT AGENCY BECAME AWARE OF THE INCIDENT, WHICHEVER OCCURS LATER.**”; in line 2, strike “A” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, A**”; in line 5, strike “FROM” and substitute “**AFTER**”; in the same line, after “DATE” insert “**THAT THE APPROPRIATE OFFICIAL EMPLOYED BY THE LAW ENFORCEMENT AGENCY BECAME AWARE**”; and after line 6, insert:

“(E) IF ALLEGED POLICE OFFICER MISCONDUCT IS RELATED TO ACTIVITY THAT REASONABLY APPEARS TO BE THE SUBJECT OF A CRIMINAL INVESTIGATION, AN ADMINISTRATIVE CHARGING COMMITTEE OR LAW ENFORCEMENT AGENCY SHALL FILE ANY ADMINISTRATIVE CHARGES WITHIN 1 YEAR AND 1 DAY AFTER THE DATE OF:

(1) THE INVESTIGATING LAW ENFORCEMENT AGENCY’S DETERMINATION THAT THE MATTER IS NOT RELATED TO CRIMINAL ACTIVITY;

(2) THE FINAL DISPOSITION OF ALL RELATED CRIMINAL CHARGES;

OR

(3) THE ADMINISTRATIVE CHARGING COMMITTEE’S OR LAW ENFORCEMENT AGENCY’S RECEIPT OF NOTICE THAT THE APPROPRIATE PROSECUTORIAL AUTHORITY DECLINED TO FILE CRIMINAL CHARGES.”