

SENATE BILL 419

E4

1lr1378

By: **Senator Carter**

Introduced and read first time: January 20, 2021

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 17, 2021

CHAPTER _____

1 AN ACT concerning

2 **Maryland Police Accountability Act of 2021 – Search Warrants**

3 FOR the purpose of ~~repealing~~ altering a provision of law authorizing an application for a
4 search warrant to contain a request authorizing the executing law enforcement
5 officer to enter a building, apartment, premises, place, or thing to be searched
6 without giving notice of the officer's authority or purpose under certain
7 circumstances; ~~providing that an application for a search warrant may not contain a~~
8 ~~request that the search warrant authorize the executing law enforcement officer to~~
9 ~~enter the building, apartment, premises, place, or thing to be searched without~~
10 ~~giving a certain notice; repealing a provision of law requiring the issuance of a search~~
11 ~~warrant exempting a law enforcement officer from providing certain notice under~~
12 ~~certain circumstances; requiring an application for a certain search warrant to~~
13 ~~contain certain information; providing that an application for a search warrant may~~
14 ~~contain a request authorizing the executing law enforcement officer to enter a~~
15 ~~building, an apartment, a premises, a place, or a thing to be searched during certain~~
16 ~~hours only under certain circumstances; requiring a search warrant to specify if it~~
17 ~~authorizes a law enforcement officer to enter a certain building, apartment,~~
18 ~~premises, place, or thing to be searched during certain hours; authorizing a judge to~~
19 ~~put certain restrictions on a search warrant under certain circumstances; altering~~
20 ~~the time period during which a search warrant is valid; repealing a provision of law~~
21 ~~requiring the Maryland Police Training and Standards Commission to consult and~~
22 ~~cooperate with commanders of SWAT teams to develop certain standards; providing~~
23 ~~that a police officer may not enter a certain building, apartment, premises, place, or~~
24 ~~thing without providing certain notice~~ notice or without certain review and approval
25 by a certain State's Attorney and a certain law enforcement official; requiring a police

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.



1 officer participating in the execution of a certain search warrant to wear a certain
 2 uniform or clothing under certain circumstances; prohibiting a certain police officer
 3 from entering a certain building, apartment, premises, place, or thing to be searched
 4 during certain hours without a certain authorization; requiring a law enforcement
 5 agency to report certain information to the Governor's Office of Crime Prevention,
 6 Youth, and Victim Services using a certain format; requiring the Maryland Police
 7 Training and Standards Commission, in consultation with the Governor's Office of
 8 Crime Prevention, Youth, and Victim Services, to develop a standardized format for
 9 certain law enforcement agencies to use in reporting certain data relating to search
 10 warrants to the Governor's Office of Crime Prevention, Youth, and Victim Services
 11 and to certain local officials; requiring a law enforcement agency to compile certain
 12 information as a report in a certain format and to submit the report to the Governor's
 13 Office of Crime Prevention, Youth, and Victim Services and certain local
 14 governments before a certain date; requiring the Governor's Office of Crime
 15 Prevention, Youth, and Victim Services to analyze and summarize certain reports of
 16 law enforcement agencies and to submit a report of the analyses and summaries to
 17 the Governor, the General Assembly, and each law enforcement agency before a
 18 certain date each year and publish the report on its website; providing that, if a law
 19 enforcement agency fails to comply with the reporting provisions of this Act, the
 20 Governor's Office of Crime Prevention, Youth, and Victim Services shall report the
 21 noncompliance to the Commission; providing that the Commission shall contact a
 22 certain law enforcement agency and request that the agency comply with this Act
 23 under certain circumstances; providing that, if a certain law enforcement agency
 24 fails to comply with certain reporting provisions within a certain period after being
 25 contacted by the Commission, the Governor's Office of Crime Prevention, Youth, and
 26 Victim Services and the Commission jointly shall make a certain report to the
 27 Governor and the Legislative Policy Committee of the General Assembly; providing
 28 for the application of this Act; and generally relating to the ~~elimination of "no-knock~~
 29 ~~warrants"~~ execution of search warrants.

30 BY repealing and reenacting, with amendments,

31 Article – Criminal Procedure

32 Section ~~1-203(a)(2)(vi)~~ 1-203(a)(2)(i) and (vi), ~~and~~ (3), and (4)

33 Annotated Code of Maryland

34 (2018 Replacement Volume and 2020 Supplement)

35 BY adding to

36 Article – Criminal Procedure

37 Section 1-203(a)(2)(vii) and 2-109

38 Annotated Code of Maryland

39 (2018 Replacement Volume and 2020 Supplement)

40 BY repealing and reenacting, with amendments,

41 Article – Public Safety

42 Section 3-207(a)(24)

43 Annotated Code of Maryland

44 (2018 Replacement Volume and 2020 Supplement)

1 BY adding to
 2 Article – Public Safety
 3 Section 3–523
 4 Annotated Code of Maryland
 5 (2018 Replacement Volume and 2020 Supplement)

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

8 **Article – Criminal Procedure**

9 1–203.

10 (a) (2) (i) An application for a search warrant shall [be]:

11 1. BE in writing;

12 2. BE signed, dated, and sworn to by the applicant; [and]

13 3. BE accompanied by an affidavit that:

14 A. sets forth the basis for probable cause as described in
 15 paragraph (1) of this subsection; and

16 B. contains facts within the personal knowledge of the affiant
 17 that there is probable cause; AND

18 4. IF THE APPLICATION CONTAINS A REQUEST THAT THE
 19 SEARCH WARRANT AUTHORIZE THE EXECUTING LAW ENFORCEMENT OFFICER TO
 20 ENTER THE BUILDING, APARTMENT, PREMISES, PLACE, OR THING TO BE SEARCHED
 21 WITHOUT GIVING NOTICE OF THE OFFICER’S AUTHORITY OR PURPOSE, CONTAIN
 22 ANY INFORMATION KNOWN TO THE APPLICANT ABOUT THE PRESENCE OF MINORS,
 23 VULNERABLE ADULTS AS DEFINED IN § 14–101 OF THE FAMILY LAW ARTICLE, AND
 24 INDIVIDUALS WITH DISABILITIES WHO MAY BE ENCOUNTERED DURING THE
 25 EXECUTION OF THE WARRANT.

26 ~~(a)~~ ~~(2)~~ (vi) An application for a search warrant may ~~NOT~~ contain a request
 27 that the search warrant authorize the executing law enforcement officer to enter the
 28 building, apartment, premises, place, or thing to be searched **DURING A PERIOD OF TIME**
 29 **BETWEEN 6:00 A.M. AND 10:00 P.M.** without giving notice of the officer’s authority or
 30 purpose~~f~~, on the grounds that there is reasonable suspicion to believe that, without the
 31 authorization:

32 1. the property subject to seizure may be destroyed, disposed

1 of, or secreted; or

2 2. the life or safety of the executing officer or another person
3 may be endangered~~†~~.

4 **(VII) AN APPLICATION FOR A SEARCH WARRANT MAY CONTAIN A**
5 **REQUEST THAT THE SEARCH WARRANT AUTHORIZE THE EXECUTING LAW**
6 **ENFORCEMENT OFFICER TO ENTER THE BUILDING, APARTMENT, PREMISES, PLACE,**
7 **OR THING TO BE SEARCHED WITHOUT GIVING NOTICE OF THE OFFICER'S AUTHORITY**
8 **OR PURPOSE DURING A PERIOD OF TIME BETWEEN 10:00 P.M. AND 6:00 A.M.,**
9 **INCLUSIVE, ON THE GROUNDS STATED IN SUBPARAGRAPH (VI) OF THIS PARAGRAPH**
10 **ONLY IF THE APPLICATION STATES:**

11 **1. THE PERIOD OF TIME THAT THE SEARCH WARRANT IS**
12 **INTENDED TO BE EXECUTED; AND**

13 **2. THE REASON FOR EXECUTING THE SEARCH WARRANT**
14 **DURING THE PERIOD OF TIME STATED IN THE APPLICATION.**

15 (3) The search warrant shall:

16 (i) be directed to a duly constituted police officer, the State Fire
17 Marshal, or a full-time investigative and inspection assistant of the Office of the State Fire
18 Marshal and authorize the police officer, the State Fire Marshal, or a full-time
19 investigative and inspection assistant of the Office of the State Fire Marshal to search the
20 suspected person, building, apartment, premises, place, or thing and to seize any property
21 found subject to seizure under the criminal laws of the State; ~~AND~~

22 (ii) name or describe, with reasonable particularity:

23 1. the person, building, apartment, premises, place, or thing
24 to be searched;

25 2. the grounds for the search; and

26 3. the name of the applicant on whose application the search
27 warrant was issued~~†~~; ~~and~~

28 (iii) if warranted by application as described in paragraph (2) of this
29 subsection, authorize the executing law enforcement officer to enter the building,
30 apartment, premises, place, or thing to be searched **DURING A PERIOD OF TIME BETWEEN**
31 **6:00 A.M. AND 10:00 P.M.** without giving notice of the officer's authority or purpose~~†~~;

32 **(IV) IF WARRANTED BY THE APPLICATION AS DESCRIBED IN**
33 **PARAGRAPH (2) OF THIS SUBSECTION, AUTHORIZE THE EXECUTING LAW**

1 ENFORCEMENT OFFICER TO ENTER THE BUILDING, APARTMENT, PREMISES, PLACE,
2 OR THING TO BE SEARCHED DURING A PERIOD OF TIME BETWEEN 10:00 P.M. AND
3 6:00 A.M., INCLUSIVE, IF GOOD CAUSE EXISTS TO AUTHORIZE THE EXECUTION OF
4 THE SEARCH WARRANT DURING THE PERIOD OF TIME STATED IN THE APPLICATION;
5 AND

6 (V) IF DETERMINED BY THE ISSUING JUDGE TO BE JUSTIFIED
7 BY INFORMATION CONCERNING THE PRESENCE OF MINORS, VULNERABLE ADULTS
8 AS DEFINED IN § 14-101 OF THE FAMILY LAW ARTICLE, OR INDIVIDUALS WITH
9 DISABILITIES IN THE APPLICATION FOR A SEARCH WARRANT AUTHORIZING THE
10 EXECUTING LAW ENFORCEMENT OFFICER TO ENTER THE BUILDING, APARTMENT,
11 PREMISES, PLACE, OR THING TO BE SEARCHED WITHOUT GIVING NOTICE OF THE
12 OFFICER'S AUTHORITY OR PURPOSE, RESTRICT THE TIME, PLACE, AND
13 CIRCUMSTANCES UNDER WHICH THE WARRANT MAY BE EXECUTED.

14 (4) (i) 1. [The] EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2
15 OF THIS SUBPARAGRAPH, THE search and seizure under the authority of a search
16 warrant shall be made within 15 calendar days after the day that the search warrant is
17 issued.

18 2. A SEARCH AND SEIZURE UNDER THE AUTHORITY OF A
19 SEARCH WARRANT AUTHORIZING THE EXECUTING LAW ENFORCEMENT OFFICER TO
20 ENTER A BUILDING, AN APARTMENT, A PREMISES, A PLACE, OR A THING TO BE
21 SEARCHED WITHOUT GIVING NOTICE OF THE OFFICER'S AUTHORITY OR PURPOSE
22 SHALL BE MADE WITHIN:

23 A. 10 CALENDAR DAYS AFTER THE DAY THAT THE
24 SEARCH WARRANT IS ISSUED; OR

25 B. 15 CALENDAR DAYS AFTER THE DAY THAT THE
26 SEARCH WARRANT IS ISSUED IF, AT THE TIME OF ISSUING THE WARRANT, THE
27 ISSUING JUDGE DETERMINED THAT THERE WAS GOOD CAUSE TO ALLOW FOR THE
28 SEARCH AND SEIZURE TO BE MADE 15 CALENDAR DAYS AFTER THE DAY THE SEARCH
29 WARRANT IS ISSUED.

30 (ii) After the expiration of the [15-day] APPLICABLE period, the
31 search warrant is void.

32 2-109.

33 (A) IN THIS SECTION, "NO-KNOCK WARRANT" MEANS A WARRANT
34 AUTHORIZING ENTRY INTO A BUILDING, AN APARTMENT, A PREMISES, A PLACE, OR
35 A THING TO BE SEARCHED WITHOUT GIVING NOTICE OF THE OFFICER'S AUTHORITY
36 OR PURPOSE.

1 **(B) A POLICE OFFICER MAY NOT EXECUTE A NO-KNOCK WARRANT UNLESS**
2 **THE STATE'S ATTORNEY, OR THE STATE'S ATTORNEY'S DESIGNEE, FOR THE**
3 **JURISDICTION IN WHICH THE SEARCH WARRANT IS TO BE EXECUTED AND A MEMBER**
4 **OF THE COMMAND STAFF FOR A LAW ENFORCEMENT AGENCY INVOLVED IN THE**
5 **EXECUTION OF THE SEARCH WARRANT HAS:**

6 **(1) REVIEWED THE SEARCH WARRANT;**

7 **(2) BEEN INFORMED BY THE APPLICANT WHO APPLIED FOR THE**
8 **WARRANT OF THE CIRCUMSTANCES UNDER WHICH THE SEARCH WARRANT WILL BE**
9 **EXECUTED; AND**

10 **(3) APPROVED THE EXECUTION OF THE SEARCH WARRANT BEFORE**
11 **ANY OFFICER ENTERS THE BUILDING, APARTMENT, PREMISES, PLACE, OR THING TO**
12 **BE SEARCHED SPECIFIED IN THE SEARCH WARRANT.**

13 **(C) A POLICE OFFICER MAKING ENTRY INTO A BUILDING, AN APARTMENT, A**
14 **PREMISES, A PLACE, OR A THING TO BE SEARCHED DURING THE EXECUTION OF A**
15 **NO-KNOCK WARRANT:**

16 **(1) SHALL WEAR A UNIFORM OR OTHER CLOTHING THAT MAKES THE**
17 **POLICE OFFICER IMMEDIATELY RECOGNIZABLE AS A POLICE OFFICER AT ALL TIMES**
18 **WHILE THE POLICE OFFICER IS PARTICIPATING IN THE EXECUTION OF THE SEARCH**
19 **WARRANT; AND**

20 **(2) MAY NOT, FOR THE PURPOSE OF EXECUTING THE WARRANT,**
21 **ENTER THE BUILDING, APARTMENT, PREMISES, PLACE, OR THING TO BE SEARCHED**
22 **SPECIFIED IN THE SEARCH WARRANT BETWEEN THE HOURS OF 10:00 P.M. AND 6:00**
23 **A.M., INCLUSIVE, UNLESS SPECIFICALLY AUTHORIZED IN THE SEARCH WARRANT.**

24 **(D) (1) WHILE MAKING ENTRY INTO A BUILDING, AN APARTMENT, A**
25 **PREMISES, A PLACE, OR A THING TO BE SEARCHED SPECIFIED IN A NO-KNOCK**
26 **WARRANT, A POLICE OFFICER SHALL GIVE NOTICE THAT IS REASONABLY**
27 **CALCULATED TO ALERT ANY INDIVIDUAL INSIDE THE BUILDING, APARTMENT,**
28 **PREMISES, PLACE, OR THING TO BE SEARCHED SPECIFIED IN THE SEARCH WARRANT**
29 **THAT A SEARCH WARRANT IS BEING EXECUTED.**

30 **(2) WHEN EXECUTING A NO-KNOCK WARRANT, AFTER MAKING ENTRY**
31 **INTO AND SECURING, BUT BEFORE SEARCHING, THE BUILDING, APARTMENT,**
32 **PREMISES, PLACE, OR THING TO BE SEARCHED SPECIFIED IN THE SEARCH**
33 **WARRANT, AN OFFICER PARTICIPATING IN THE EXECUTION OF THE SEARCH**
34 **WARRANT SHALL GIVE A COPY OF THE SEARCH WARRANT RETURN TO AN**

1 AUTHORIZED OCCUPANT OR LEAVE A COPY OF THE SEARCH WARRANT RETURN AT
2 THE PREMISES AS REQUIRED BY § 1-203 OF THIS ARTICLE.

3 Article – Public Safety

4 3-207.

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

6 (24) to consult and cooperate with commanders of SWAT teams to develop
7 standards for training and deployment of SWAT teams [and of law enforcement officers
8 who are not members of a SWAT team who conduct no-knock warrant service in the State]
9 based on best practices in the State and nationwide.

10 3-523.

11 ~~A POLICE OFFICER WHO IS EXECUTING A SEARCH WARRANT MAY NOT, FOR~~
12 ~~THE PURPOSE OF EXECUTING THE WARRANT, ENTER THE BUILDING, APARTMENT,~~
13 ~~PREMISES, PLACE, OR THING SPECIFIED IN THE WARRANT TO BE SEARCHED~~
14 ~~WITHOUT GIVING NOTICE OF THE OFFICER'S AUTHORITY OR PURPOSE.~~

15 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
16 INDICATED.

17 (2) "LAW ENFORCEMENT AGENCY" MEANS AN AGENCY THAT IS
18 LISTED IN § 3-101 OF THIS TITLE.

19 (3) "LAW ENFORCEMENT OFFICER" MEANS ANY PERSON WHO, IN AN
20 OFFICIAL CAPACITY, IS AUTHORIZED BY LAW TO MAKE ARRESTS AND WHO IS AN
21 EMPLOYEE OF A LAW ENFORCEMENT AGENCY THAT IS SUBJECT TO THIS SECTION.

22 (4) "NO-KNOCK WARRANT" MEANS A WARRANT AUTHORIZING ENTRY
23 INTO A BUILDING, AN APARTMENT, A PREMISES, A PLACE, OR A THING TO BE
24 SEARCHED WITHOUT GIVING NOTICE OF THE OFFICER'S AUTHORITY OR PURPOSE.

25 (5) "SWAT TEAM" MEANS A SPECIAL UNIT COMPOSED OF TWO OR
26 MORE LAW ENFORCEMENT OFFICERS WITHIN A LAW ENFORCEMENT AGENCY
27 TRAINED TO DEAL WITH UNUSUALLY DANGEROUS OR VIOLENT SITUATIONS AND
28 HAVING SPECIAL EQUIPMENT AND WEAPONS, INCLUDING RIFLES MORE POWERFUL
29 THAN THOSE CARRIED BY REGULAR LAW ENFORCEMENT OFFICERS.

30 (B) A LAW ENFORCEMENT AGENCY SHALL REPORT THE FOLLOWING
31 INFORMATION RELATING TO SEARCH WARRANTS EXECUTED BY THE LAW
32 ENFORCEMENT AGENCY DURING THE PRIOR CALENDAR YEAR TO THE GOVERNOR'S

OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES USING THE
FORMAT DEVELOPED UNDER SUBSECTION (C) OF THIS SECTION:

(1) THE NUMBER OF TIMES A NO-KNOCK WARRANT WAS EXECUTED BY
LAW ENFORCEMENT OFFICERS EMPLOYED BY THE LAW ENFORCEMENT AGENCY IN
THE PREVIOUS YEAR;

(2) THE NAME OF THE COUNTY OR COUNTY AND MUNICIPAL
CORPORATION AND THE ZIP CODE OF THE LOCATION WHERE EACH NO-KNOCK
WARRANT WAS EXECUTED BY OFFICERS EMPLOYED BY THE LAW ENFORCEMENT
AGENCY;

(3) FOR EACH SEARCH WARRANT EXECUTED, THE NUMBER OF DAYS
FROM THE ISSUANCE UNTIL THE EXECUTION OF THE WARRANT, DISAGGREGATED BY
WHETHER THE WARRANT WAS A NO-KNOCK WARRANT;

(4) THE LEGAL BASIS FOR EACH NO-KNOCK WARRANT ISSUED TO LAW
ENFORCEMENT OFFICERS EMPLOYED BY THE LAW ENFORCEMENT AGENCY;

(5) THE NUMBER OF TIMES A SEARCH WARRANT WAS EXECUTED
UNDER CIRCUMSTANCES IN WHICH A LAW ENFORCEMENT OFFICER EMPLOYED BY
THE LAW ENFORCEMENT AGENCY MADE FORCIBLE ENTRY INTO THE BUILDING,
APARTMENT, PREMISES, PLACE, OR THING TO BE SEARCHED SPECIFIED IN THE
WARRANT;

(6) THE NUMBER OF TIMES A SWAT TEAM WAS DEPLOYED TO SERVE
A SEARCH WARRANT;

(7) THE NUMBER OF ARRESTS MADE, IF ANY, DURING THE EXECUTION
OF A SEARCH WARRANT;

(8) THE NUMBER OF TIMES PROPERTY WAS SEIZED DURING THE
EXECUTION OF A SEARCH WARRANT;

(9) THE NUMBER OF TIMES A WEAPON WAS DISCHARGED BY A LAW
ENFORCEMENT OFFICER DURING THE EXECUTION OF A SEARCH WARRANT; AND

(10) THE NUMBER OF TIMES A PERSON OR DOMESTIC ANIMAL WAS
INJURED OR KILLED DURING THE EXECUTION OF A SEARCH WARRANT,
DISAGGREGATED BY WHETHER THE PERSON OR ANIMAL WAS INJURED OR KILLED
BY AN INDIVIDUAL WHO WAS A LAW ENFORCEMENT OFFICER OR NOT A LAW
ENFORCEMENT OFFICER.

(C) THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION, IN

1 CONSULTATION WITH THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH,
2 AND VICTIM SERVICES, SHALL DEVELOP A STANDARDIZED FORMAT FOR EACH LAW
3 ENFORCEMENT AGENCY TO USE IN REPORTING DATA TO THE GOVERNOR'S OFFICE
4 OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES UNDER SUBSECTION (B) OF
5 THIS SECTION.

6 (D) A LAW ENFORCEMENT AGENCY SHALL:

7 (1) COMPILE THE DATA DESCRIBED IN SUBSECTION (B) OF THIS
8 SECTION FOR EACH 1-YEAR PERIOD AS A REPORT IN THE FORMAT REQUIRED UNDER
9 SUBSECTION (C) OF THIS SECTION; AND

10 (2) NOT LATER THAN JANUARY 15 EACH YEAR, SUBMIT THE REPORT
11 TO:

12 (I) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH,
13 AND VICTIM SERVICES; AND

14 (II) 1. THE LOCAL GOVERNING BODY OF THE JURISDICTION
15 SERVED BY THE LAW ENFORCEMENT AGENCY THAT IS THE SUBJECT OF THE REPORT;
16 OR

17 2. IF THE JURISDICTION SERVED BY THE LAW
18 ENFORCEMENT AGENCY IS A MUNICIPAL CORPORATION, THE CHIEF EXECUTIVE
19 OFFICER OF THE JURISDICTION.

20 (E) (1) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND
21 VICTIM SERVICES SHALL ANALYZE AND SUMMARIZE THE REPORTS OF LAW
22 ENFORCEMENT AGENCIES SUBMITTED UNDER SUBSECTION (D) OF THIS SECTION.

23 (2) BEFORE SEPTEMBER 1 EACH YEAR, THE GOVERNOR'S OFFICE OF
24 CRIME PREVENTION, YOUTH, AND VICTIM SERVICES SHALL:

25 (I) SUBMIT A REPORT OF THE ANALYSES AND SUMMARIES OF
26 THE REPORTS OF LAW ENFORCEMENT AGENCIES DESCRIBED IN PARAGRAPH (1) OF
27 THIS SUBSECTION TO THE GOVERNOR, EACH LAW ENFORCEMENT AGENCY, AND, IN
28 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL
29 ASSEMBLY; AND

30 (II) PUBLISH THE REPORT ON ITS WEBSITE.

31 (F) (1) IF A LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE
32 REPORTING PROVISIONS OF THIS SECTION, THE GOVERNOR'S OFFICE OF CRIME
33 PREVENTION, YOUTH, AND VICTIM SERVICES SHALL REPORT THE

1 NONCOMPLIANCE TO THE MARYLAND POLICE TRAINING AND STANDARDS
2 COMMISSION.

3 (2) ON RECEIPT OF A REPORT OF NONCOMPLIANCE, THE MARYLAND
4 POLICE TRAINING AND STANDARDS COMMISSION SHALL CONTACT THE LAW
5 ENFORCEMENT AGENCY AND REQUEST THAT THE AGENCY COMPLY WITH THE
6 REQUIRED REPORTING PROVISIONS.

7 (3) IF THE LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE
8 REQUIRED REPORTING PROVISIONS OF THIS SECTION WITHIN 30 DAYS AFTER BEING
9 CONTACTED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION
10 WITH A REQUEST TO COMPLY, THE GOVERNOR'S OFFICE OF CRIME PREVENTION,
11 YOUTH, AND VICTIM SERVICES AND THE MARYLAND POLICE TRAINING AND
12 STANDARDS COMMISSION JOINTLY SHALL REPORT THE NONCOMPLIANCE TO THE
13 GOVERNOR AND THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL
14 ASSEMBLY.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
16 apply only prospectively and may not be applied or interpreted to have any effect on or
17 application to any application for a search warrant made before the effective date of this
18 Act.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2021.