

SENATE BILL 700

E4

3lr0002

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – State Police)**

Introduced and read first time: February 6, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Use of Department of State Police Articles for Commercial**
3 **Purposes – Prohibitions**

4 FOR the purpose of prohibiting, for commercial purposes, the copying, reproduction,
5 distribution, or use of certain articles adopted by the Department of State Police
6 without the authority of the Secretary of State Police; and generally relating to the
7 use of certain Department of State Police articles.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 3–502
11 Annotated Code of Maryland
12 (2022 Replacement Volume)

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

15 **Article – Public Safety**

16 3–502.

17 (a) In this section, “police officer” means a member of:

18 (1) a police force of this State or another state;

19 (2) a police force of a county or municipal corporation of this State or
20 another state;

21 (3) the United States Secret Service Uniformed Division;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (4) the United States Park Police;
- 2 (5) the Washington Metropolitan Area Transit Authority (WMATA) Metro
3 Transit Police;
- 4 (6) the Federal Bureau of Investigation;
- 5 (7) the Drug Enforcement Administration; or
- 6 (8) a division of a federal agency the primary duties of which are the
7 investigation, apprehension, or detention of individuals suspected or convicted of federal
8 crimes.

9 (b) A person may not, with fraudulent design on person or property, falsely
10 represent that the person is a police officer, special police officer, sheriff, deputy sheriff, or
11 constable.

12 (c) Except as provided in subsection [(e)] (F) of this section, a person may not
13 have, use, wear, or display a uniform, shield, button, ornament, badge, identification, or
14 shoulder patch adopted by the Department of State Police to be worn by its members,
15 insignia, or emblem of office, as is worn by a police officer, sheriff, deputy sheriff, or
16 constable.

17 (d) A person may not, for the purpose of deception, have a simulation or imitation
18 of an article described in subsection (c) of this section as is worn by a police officer, sheriff,
19 deputy sheriff, or constable.

20 **(E) A PERSON MAY NOT, FOR COMMERCIAL PURPOSES, COPY, REPRODUCE,**
21 **DISTRIBUTE, OR USE THE SHIELD, BADGE, INSIGNIA, EMBLEM, OR SHOULDER PATCH**
22 **ADOPTED BY THE DEPARTMENT OF STATE POLICE WITHOUT THE APPROPRIATE**
23 **AUTHORITY OF THE SECRETARY OF STATE POLICE.**

24 [(e)] (F) A person may have, use, wear, or display an article described in
25 subsection (c) of this section with the appropriate authority of:

- 26 (1) the Secretary of State Police;
- 27 (2) a police force of another state;
- 28 (3) the Police Commissioner of Baltimore City;
- 29 (4) the chief of police of a county or municipal corporation of this State or
30 another state;
- 31 (5) a sheriff or deputy sheriff;

- 1 (6) a constable;
- 2 (7) the United States Secret Service Uniformed Division;
- 3 (8) the United States Park Police;
- 4 (9) the Washington Metropolitan Area Transit Authority (WMATA) Metro
5 Transit Police;
- 6 (10) the Federal Bureau of Investigation;
- 7 (11) the Drug Enforcement Administration; or
- 8 (12) a division of a federal agency the primary duties of which are the
9 investigation, apprehension, or detention of individuals suspected or convicted of federal
10 crimes.

11 **[(f)] (G)** A person who violates this section is guilty of a misdemeanor and on
12 conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding \$2,000
13 or both.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2023.