

SENATE BILL 716

E4

6lr2485
CF HB 246

By: **Cecil County Senators**

Introduced and read first time: February 5, 2016

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 14, 2016

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Fire Police – Cecil County**

3 FOR the purpose of authorizing a certain commanding officer to designate to the Sheriff of
4 Cecil County a certain number of members of fire or ambulance companies to serve
5 as fire police in Cecil County; requiring a certain designation to be read in a certain
6 manner; authorizing the Sheriff of Cecil County to appoint certain individuals to
7 serve as fire police in Cecil County; providing that certain powers are granted to
8 individuals appointed to serve as fire police in Cecil County; authorizing certain
9 powers to be exercised in a certain location; providing for the termination of a certain
10 appointment; repealing the authority of the Sheriff of Cecil County and a certain
11 commanding officer relating to designating and appointing certain individuals as
12 deputy sheriffs for a certain purpose; and generally relating to fire police in Cecil
13 County.

14 BY repealing and reenacting, with amendments,
15 Article – Public Safety
16 Section 7–302(a), 7–303(a) and (b), and 7–304
17 Annotated Code of Maryland
18 (2011 Replacement Volume and 2015 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Public Safety
21 Section 7–302(b)
22 Annotated Code of Maryland
23 (2011 Replacement Volume and 2015 Supplement)

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

3 **Article – Public Safety**

4 7–302.

5 (a) This section applies only to Baltimore County, [Cecil County,] Dorchester
6 County, and Queen Anne’s County.

7 (b) The sheriff of a county subject to this section may appoint as deputy sheriffs
8 members of fire companies, whether volunteer, career, incorporated, or unincorporated, to
9 exercise the powers of deputy sheriffs at fires and while going to and from fires.

10 7–303.

11 (a) (1) This section applies only to Allegany County, Caroline County, Carroll
12 County, [Cecil County,] Dorchester County, Frederick County, Harford County, Kent
13 County, Somerset County, Talbot County, Wicomico County, and Worcester County.

14 (2) Except as modified by this section, the provisions of § 7–302 of this
15 subtitle apply to this section.

16 (b) (1) Except as provided in paragraph (2) of this subsection, the commanding
17 officer may designate 12 members of a fire company to be appointed as deputy sheriffs.

18 (2) In [Cecil County and] Harford County, the commanding officer may
19 designate 20 members of a fire company to be appointed as deputy sheriffs.

20 7–304.

21 (a) In this section, “fire and ambulance company” means a volunteer, career,
22 incorporated, or unincorporated fire or ambulance company.

23 (b) This section applies only to **CECIL COUNTY AND** Washington County.

24 (c) (1) (i) The commanding officer may designate to the [Sheriff] **SHERIFF**
25 of [Washington County] **A COUNTY** up to 20 individuals who are members of the
26 commanding officer’s fire or ambulance company to be appointed as fire police [in
27 Washington County].

28 (ii) A written certificate of designation signed by the commanding
29 officer shall accompany each request for appointment under subparagraph (i) of this
30 paragraph.

1 (2) **(I)** The Sheriff of Washington County shall appoint individuals to
2 serve as fire police in Washington County from those members designated by the
3 commanding officer under paragraph (1) of this subsection.

4 **(II) THE SHERIFF OF CECIL COUNTY MAY APPOINT**
5 **INDIVIDUALS TO SERVE AS FIRE POLICE IN CECIL COUNTY FROM THOSE MEMBERS**
6 **DESIGNATED BY THE COMMANDING OFFICER UNDER PARAGRAPH (1) OF THIS**
7 **SUBSECTION.**

8 (d) (1) The powers of individuals serving as fire police [in Washington County]
9 are limited to traffic control and scene safety while functioning at:

10 (i) parades;

11 (ii) accidents;

12 (iii) fires;

13 (iv) floods;

14 (v) other emergencies; or

15 (vi) public events conducted by a fire or ambulance company or the
16 Sheriff's department.

17 (2) The powers authorized under this subsection may be exercised:

18 (i) in a municipal corporation in [Washington County] **THE**
19 **COUNTY**, subject to the discretion, and control of the chief of the police force of the
20 municipal corporation; or

21 (ii) in other areas of [Washington County] **THE COUNTY.**

22 (3) An individual appointed to serve as fire police in Washington County
23 may not use a weapon in the performance of duties authorized under this subsection.

24 (e) (1) The appointment of a member of a fire or ambulance company as fire
25 police [in Washington County] terminates if the member ceases to be a member of the fire
26 or ambulance company.

27 (2) The [Sheriff] **SHERIFF** of [Washington County] **A COUNTY** may
28 remove a member appointed as fire police at any time.

29 (3) If a member appointed to serve as fire police [in Washington County]
30 dies, resigns, is dismissed, refuses to serve, or is unable to serve, the commanding officer

1 may designate another member of the fire or ambulance company to be appointed as fire
2 police.

3 (f) An individual appointed to serve as fire police in Washington County under
4 this section is deemed an appointed official and shall be treated as an appointed official for
5 purposes of Title 22 and Title 23 of the State Personnel and Pensions Article.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.