

SENATE BILL 894

L2
SB 758/23 – JPR

4lr2342
CF HB 732

By: **Senator Carter**

Introduced and read first time: February 2, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 2, 2024

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Control Over Powers of Police Commissioner**

3 FOR the purpose of repealing a prohibition on certain Baltimore City ordinances or acts of
4 certain municipal officials from conflicting, impeding, obstructing, hindering, or
5 interfering with the powers of the Baltimore City Police Commissioner; making a
6 portion of this Act contingent on the passage and ratification, by a certain date, of a
7 certain Baltimore City Charter amendment; and generally relating to the Baltimore
8 City Police Commissioner.

9 BY repealing and reenacting, with amendments,
10 The Charter of Baltimore City
11 Article II – General Powers
12 Section (27)
13 (2007 Replacement Volume, as amended)
14 (As enacted by Chapters 39 and 40 of the Acts of the General Assembly of 2009)

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

17 **The Charter of Baltimore City**

18 Article II – General Powers

19 The Mayor and City Council of Baltimore shall have full power and authority to
20 exercise all of the powers heretofore or hereafter granted to it by the Constitution of

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 Maryland or by any Public General or Public Local Laws of the State of Maryland; and in
2 particular, without limitation upon the foregoing, shall have power by ordinance, or such
3 other method as may be provided for in its Charter, subject to the provisions of said
4 Constitution and Public General Laws:

5 (27)

6 To have and exercise within the limits of Baltimore City all the power commonly
7 known as the Police Power to the same extent as the State has or could exercise that power
8 within the limits of Baltimore City]; provided, however, that no ordinance of the City or act
9 of any municipal officer, other than an act of the Mayor pursuant to Article IV of this
10 Charter, shall conflict, impede, obstruct, hinder or interfere with the powers of the Police
11 Commissioner].

12 SECTION 2. AND BE IT FURTHER ENACTED, That:

13 (a) Section 1 of this Act shall take effect contingent on the passage of an
14 amendment to the Charter of Baltimore City that provides for the appointment, terms of
15 office, and the powers and duties of the Baltimore City Police Commissioner and the powers
16 and duties of the Baltimore City Police Department and its ratification by the voters of
17 Baltimore City at the 2024 general election.

18 (b) If an amendment to the Charter of Baltimore City that provides for the
19 appointment, terms of office, and the powers and duties of the Baltimore City Police
20 Commissioner and the powers and duties of the Baltimore City Police Department is
21 ratified at the 2024 general election, Section 1 of this Act shall take effect January 1, 2025.

22 (c) If an amendment to the Charter of Baltimore City that provides for the
23 appointment, terms of office, and the powers and duties of the Baltimore City Police
24 Commissioner and the powers and duties of the Baltimore City Police Department is not
25 passed and ratified at the 2024 general election, Section 1 of this Act, with no further action
26 required by the General Assembly, shall be null and void.

27 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That, except as provided in
28 Section 2 of this Act, this Act shall take effect June 1, 2024.