

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2009 Legislative Session

Legislative Day No. **11**

Bill No. 43 -2009

Introduced by: The Chairperson at the request of the County Executive

AN ACT authorizing the County Executive to enter into certain mutual aid agreements;
updating certain references to State law; and generally relating to the authority to
send police officers outside of Howard County.

Introduced and read first time _____, 2009. Ordered posted and hearing scheduled.

By order _____
Stephen Le Gendre , Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read
for a second time at a public hearing on _____, 2009.

By order _____
Stephen Le Gendre , Administrator

This Bill was read the third time on _____, 2009 and Passed ____, Passed with amendments ____, Failed ____.

By order _____
Stephen Le Gendre , Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2009 at ____
a.m./p.m.

By order _____
Stephen Le Gendre , Administrator

Approved/Vetoed by the County Executive _____, 2009

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law;
Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, that
2 *Section 17.204 “Authority to send Officers and equipment beyond County borders” of*
3 *Subtitle 2 “Police” of Title 17 “Public Protection Services” of the Howard County Code*
4 *is amended to read as follows:*

5
6 **Title 17. Public Protection Services.**

7 **Subtitle 2. Police.**

8
9 **Section 17.204. Authority to send Officers and equipment beyond County borders.**

10 (a) *In General.* Personnel of the Police Department, both sworn and nonsworn, together
11 with all necessary equipment, may lawfully go or be sent beyond the territorial limits of
12 Howard County to any point within or without the State of Maryland:

- 13 (1) Upon the instruction of the Chief of Police or his designees acting at the
14 request of the State of Maryland, another State or the District of Columbia,
15 a County or a municipal corporation;
16 (2) Pursuant to any mutual agreement to which Howard County is a party; or
17 (3) Pursuant to any statute of the State of Maryland, ordinance of Howard
18 County or the common law.

19 (B) *AUTHORITY.* IF THE COUNTY IS A PARTY TO AN AGREEMENT UNDER SUBSECTION (A)(2)
20 OF THIS SECTION, THE COUNTY EXECUTIVE MAY ENTER INTO THE AGREEMENT ON BEHALF
21 OF THE COUNTY WITH:

- 22 (1) ANY STATE;
23 (2) ANY COUNTY OR MUNICIPAL CORPORATION;
24 (3) THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION;
25 (4) THE DISTRICT OF COLUMBIA; OR
26 (5) THE FEDERAL GOVERNMENT OR ANY AGENCY OF THE FEDERAL
27 GOVERNMENT.

28 ~~[[b)]]~~ (C) *Mutual Aid Agreements.* A mutual aid agreement under subsection (a)(2) of
29 this section ~~[[shall]]~~ SHALL, AS REQUIRED BY ~~[[be executed in accordance with article 27,~~
30 ~~section 602B]]~~ SECTION 2-105(E) OF THE CRIMINAL PROCEDURE ARTICLE of the

1 Annotated Code of Maryland, [[and shall]] provide that each of the parties to the
2 agreement SHALL:

3 (1) Waive any and all claims against all the other parties to the agreement
4 which may arise out of their activities outside their respective jurisdictions
5 under the agreement; and

6 (2) Indemnify and save harmless the other parties to the agreement from all
7 claims of third parties for property damage or personal injury which may
8 arise out of the activities of the other parties to the agreement, outside their
9 respective jurisdictions under such agreement.

10
11 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County,
12 *Maryland, that this Act shall become effective 61 days after its enactment.*