

(D) RETALIATION.

A LAW ENFORCEMENT OFFICER MAY NOT BE DISCHARGED, DISCIPLINED, DEMOTED, OR DENIED PROMOTION, TRANSFER, OR REASSIGNMENT, OR OTHERWISE DISCRIMINATED AGAINST IN REGARD TO THE LAW ENFORCEMENT OFFICER'S EMPLOYMENT OR BE THREATENED WITH THAT TREATMENT BECAUSE THE LAW ENFORCEMENT OFFICER:

(1) HAS EXERCISED OR DEMANDED THE RIGHTS GRANTED BY THIS SUBTITLE; OR

(2) HAS LAWFULLY EXERCISED CONSTITUTIONAL RIGHTS.

(E) RIGHT TO SUE.

A STATUTE MAY NOT ABRIDGE AND A LAW ENFORCEMENT AGENCY MAY NOT ADOPT A REGULATION THAT PROHIBITS THE RIGHT OF A LAW ENFORCEMENT OFFICER TO BRING SUIT THAT ARISES OUT OF THE LAW ENFORCEMENT OFFICER'S DUTIES AS A LAW ENFORCEMENT OFFICER.

(F) WAIVER OF RIGHTS.

A LAW ENFORCEMENT OFFICER MAY WAIVE IN WRITING ANY OR ALL RIGHTS GRANTED BY THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 729, 729A, 733, 734D, and 728(a) and (b)(11).

In subsection (a)(1) of this section, the introductory phrase "[s]ubject to paragraph (2) of this subsection" is added to clarify that the right to engage in political activity is limited by subsection (a)(2) of this section.

In subsection (f) of this section, the defined term "law enforcement officer" is substituted for the former term "officer" for consistency with terminology used throughout this subtitle.

Also in subsection (f) of this section, the reference to rights "granted" by this subtitle is substituted for the former reference to rights "provided" in this subtitle for consistency with subsection (d)(1) of this section.

Defined term: "Law enforcement officer" § 3-101

3-104. INVESTIGATION OR INTERROGATION OF LAW ENFORCEMENT OFFICER.

(A) IN GENERAL.

THE INVESTIGATION OR INTERROGATION BY A LAW ENFORCEMENT AGENCY OF A LAW ENFORCEMENT OFFICER FOR A REASON THAT MAY LEAD TO DISCIPLINARY ACTION, DEMOTION, OR DISMISSAL SHALL BE CONDUCTED IN ACCORDANCE WITH THIS SECTION.

(B) INTERROGATING OR INVESTIGATING OFFICER.