

LAW ENFORCEMENT OFFICERS OF ANOTHER LAW ENFORCEMENT AGENCY WITH THE APPROVAL OF THE CHIEF OF THE OTHER AGENCY; AND

(II) HAVE HAD NO PART IN THE INVESTIGATION OR INTERROGATION OF THE LAW ENFORCEMENT OFFICER.

(2) AT LEAST ONE MEMBER OF THE HEARING BOARD SHALL BE OF THE SAME RANK AS THE LAW ENFORCEMENT OFFICER AGAINST WHOM THE COMPLAINT IS FILED.

(3) (I) IF THE CHIEF IS THE LAW ENFORCEMENT OFFICER UNDER INVESTIGATION, THE CHIEF OF ANOTHER LAW ENFORCEMENT AGENCY IN THE STATE SHALL FUNCTION AS THE LAW ENFORCEMENT OFFICER OF THE SAME RANK ON THE HEARING BOARD.

(II) IF THE CHIEF OF A STATE LAW ENFORCEMENT AGENCY IS UNDER INVESTIGATION, THE GOVERNOR SHALL APPOINT THE CHIEF OF ANOTHER LAW ENFORCEMENT AGENCY TO FUNCTION AS THE LAW ENFORCEMENT OFFICER OF THE SAME RANK ON THE HEARING BOARD.

(III) IF THE CHIEF OF A LAW ENFORCEMENT AGENCY OF A COUNTY OR MUNICIPAL CORPORATION IS UNDER INVESTIGATION, THE OFFICIAL AUTHORIZED TO APPOINT THE CHIEF'S SUCCESSOR SHALL APPOINT THE CHIEF OF ANOTHER LAW ENFORCEMENT AGENCY TO FUNCTION AS THE LAW ENFORCEMENT OFFICER OF THE SAME RANK ON THE HEARING BOARD.

(IV) IF THE CHIEF OF A STATE LAW ENFORCEMENT AGENCY OR THE CHIEF OF A LAW ENFORCEMENT AGENCY OF A COUNTY OR MUNICIPAL CORPORATION IS UNDER INVESTIGATION, THE OFFICIAL AUTHORIZED TO APPOINT THE CHIEF'S SUCCESSOR, OR THAT OFFICIAL'S DESIGNEE, SHALL FUNCTION AS THE CHIEF FOR PURPOSES OF THIS SUBTITLE.

(4) (I) A LAW ENFORCEMENT AGENCY OR THE AGENCY'S SUPERIOR GOVERNMENTAL AUTHORITY THAT HAS RECOGNIZED AND CERTIFIED AN EXCLUSIVE COLLECTIVE BARGAINING REPRESENTATIVE MAY NEGOTIATE WITH THE REPRESENTATIVE AN ALTERNATIVE METHOD OF FORMING A HEARING BOARD.

(II) A LAW ENFORCEMENT OFFICER MAY ELECT THE ALTERNATIVE METHOD OF FORMING A HEARING BOARD IF:

1. THE LAW ENFORCEMENT OFFICER WORKS IN A LAW ENFORCEMENT AGENCY DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

2. THE LAW ENFORCEMENT OFFICER IS INCLUDED IN THE COLLECTIVE BARGAINING UNIT.

(III) THE LAW ENFORCEMENT AGENCY SHALL NOTIFY THE LAW ENFORCEMENT OFFICER IN WRITING BEFORE A HEARING BOARD IS FORMED THAT THE LAW ENFORCEMENT OFFICER MAY ELECT AN ALTERNATIVE METHOD OF FORMING A HEARING BOARD IF ONE HAS BEEN NEGOTIATED UNDER THIS PARAGRAPH.