In the introductory language of subsection (b)(1) of this section, the reference to "law enforcement agency" rules and regulations is substituted for the former reference to "departmental" rules and regulations for consistency with terminology used throughout this subtitle.

Defined terms: "Chief" § 3–101
    "Hearing" § 3–101
    "Hearing board" § 3–101
    "Law enforcement officer" § 3–101

3–112.   EMERGENCY SUSPENSION.

(A)   AUTHORIZED.

THIS SUBTITLE DOES NOT PROHIBIT EMERGENCY SUSPENSION BY HIGHER RANKING LAW ENFORCEMENT OFFICERS AS DESIGNATED BY THE CHIEF.

(B)   IMPOSITION — WITH PAY.

(1)   THE CHIEF MAY IMPOSE EMERGENCY SUSPENSION WITH PAY IF IT APPEARS THAT THE ACTION IS IN THE BEST INTEREST OF THE PUBLIC AND THE LAW ENFORCEMENT AGENCY.

(2)   IF THE LAW ENFORCEMENT OFFICER IS SUSPENDED WITH PAY, THE CHIEF MAY SUSPEND THE POLICE POWERS OF THE LAW ENFORCEMENT OFFICER AND REASSIGN THE LAW ENFORCEMENT OFFICER TO RESTRICTED DUTIES PENDING:

(I)   A DETERMINATION BY A COURT WITH RESPECT TO A CRIMINAL VIOLATION; OR

(II)   A FINAL DETERMINATION BY A HEARING BOARD WITH RESPECT TO A LAW ENFORCEMENT AGENCY VIOLATION.

(3)   A LAW ENFORCEMENT OFFICER WHO IS SUSPENDED UNDER THIS SUBSECTION IS ENTITLED TO A PROMPT HEARING.

(C)   SAME — WITHOUT PAY.

(1)   IF A LAW ENFORCEMENT OFFICER IS CHARGED WITH A FELONY, THE CHIEF MAY IMPOSE AN EMERGENCY SUSPENSION OF POLICE POWERS WITHOUT PAY.

(2)   A LAW ENFORCEMENT OFFICER WHO IS SUSPENDED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS ENTITLED TO A PROMPT HEARING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 734A(2), (3), and, as it related to emergency suspension, the first sentence of § 734A.

In subsection (a) of this section, the defined term "chief" is substituted for the former reference to the "head of a law enforcement agency" for consistent use of the defined term throughout this subtitle.

In subsection (b)(2)(i) of this section, the former reference to a court "of competent jurisdiction" is deleted as surplusage.