

(III) AN INVESTIGATOR OF THE INTERNAL INVESTIGATIVE UNIT OF THE DEPARTMENT.

(3) "POLICE OFFICER" DOES NOT INCLUDE:

(I) AN INDIVIDUAL WHO SERVES AS A POLICE OFFICER ONLY BECAUSE THE INDIVIDUAL OCCUPIES ANOTHER OFFICE OR POSITION;

(II) A SHERIFF, THE SECRETARY OF STATE POLICE, A COMMISSIONER OF POLICE, A DEPUTY OR ASSISTANT COMMISSIONER OF POLICE, A CHIEF OF POLICE, A DEPUTY OR ASSISTANT CHIEF OF POLICE, OR ANOTHER INDIVIDUAL WITH AN EQUIVALENT TITLE WHO IS APPOINTED OR EMPLOYED BY A GOVERNMENT TO EXERCISE EQUIVALENT SUPERVISORY AUTHORITY; OR

(III) A MEMBER OF THE MARYLAND NATIONAL GUARD WHO:

1. IS UNDER THE CONTROL AND JURISDICTION OF THE MILITARY DEPARTMENT;

2. IS ASSIGNED TO THE MILITARY PROPERTY DESIGNATED AS THE GLENN L. MARTIN STATE AIRPORT; AND

3. IS CHARGED WITH EXERCISING POLICE POWERS IN AND FOR THE GLENN L. MARTIN STATE AIRPORT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 41, § 4-201(a)(8)(i), (iii), and the first and second sentences of (ii).

In the introductory language of paragraph (1) and in paragraph (3)(ii) of this subsection, the reference to an "individual" is substituted for the former reference to a "person" because only an individual, and not the other entities included in the defined term "person", can be a member of a law enforcement agency or can be appointed or employed by a government to exercise supervisory authority. See § 1-101 of this article for the definition of "person".

In paragraph (1)(ii)4 of this subsection, the reference to a "municipal corporation" is substituted for the former reference to an "incorporated city or town" to conform to Md. Constitution, Art. XI-E.

In paragraph (1)(ii)6 of this subsection, the former reference to the "Maryland Port Administration Police Force of the Department of Transportation" is deleted as unnecessary because this police force has been consolidated into the Maryland Transportation Authority Police.

Paragraph (1)(ii)7 of this subsection is revised to reflect the proper name of the University System of Maryland and to indicate that each college/university in the University System of Maryland has a separate police force.

In paragraph (1)(ii)9 of this subsection, the reference to the sheriff's "office" is substituted for the former reference to the sheriff's "department"