

THE ENTITY THAT REQUESTED THE APPOINTMENT OF THE SPECIAL POLICE OFFICER IS ALSO RESPONSIBLE FOR:

(1) ANY WRONGFUL ACTION THAT THE SPECIAL POLICE OFFICER COMMITS IN THE COURSE OF THE SPECIAL POLICE OFFICER'S DUTIES; AND

(2) ANY ABUSE OF THE POWERS GRANTED BY THE COMMISSION, EITHER ON OR OFF THE PREMISES.

REVISOR'S NOTE: This section is new language derived without substantive change from the sixth and seventh sentences of former Art. 41, § 4-905.

Throughout this section, the defined term "special police officer" is substituted for the former references to the "officer" for clarity and consistency throughout this subtitle.

In the introductory language of subsection (b) of this section, the former phrase "for whose convenience and protection the officer has been appointed" is deleted as surplusage.

Defined terms: "Commission" § 3-301

"Special police officer" § 3-301

3-309. OATH.

(A) REQUIRED.

WITHIN 30 DAYS AFTER ISSUANCE OF A COMMISSION AND BEFORE PERFORMING THE DUTIES OF A SPECIAL POLICE OFFICER, EACH SPECIAL POLICE OFFICER SHALL TAKE THE OATH REQUIRED BY ARTICLE I, § 9 OF THE MARYLAND CONSTITUTION BEFORE THE CLERK OF THE CIRCUIT COURT WHERE THE COMMISSION IS RECEIVED.

(B) CERTIFICATE OF OATH.

THE CLERK OF THE COURT SHALL TRANSMIT TO THE SECRETARY OF STATE A CERTIFICATE THAT INDICATES THAT THE SPECIAL POLICE OFFICER HAS TAKEN THE OATH REQUIRED BY SUBSECTION (A) OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-908.

In subsections (a) and (b) of this section, the defined term "special police officer" is substituted for the former references to a "person appointed under this subtitle" and a "person commissioned" for clarity and consistency with terminology used throughout this subtitle.

In subsection (a) of this section, the reference to the "oath required by Article I, § 9 of the Maryland Constitution" is substituted for the former reference to the "constitutional oath of office" for specificity and to conform to language used in similar provisions in other revised articles of the Code.

Also in subsection (a) of this section, the reference to the clerk of the