

(1) IN A CIVIL OR CRIMINAL CASE, OTHER THAN A DISCIPLINARY PROCEEDING OR AN APPEAL FROM A DISCIPLINARY PROCEEDING, WHEN A POLICE EMPLOYEE IS CHARGED WITH THE COMMISSION OF A WRONG AS THE RESULT OF AN ACT DONE IN THE COURSE OF THE POLICE EMPLOYEE'S OFFICIAL DUTIES, THE SECRETARY MAY PAY ANY PART OF THE LEGAL EXPENSES OF THE POLICE EMPLOYEE IF:

(I) THE SECRETARY DETERMINES THAT PAYMENT IS IN THE BEST INTERESTS OF THE DEPARTMENT, THE PUBLIC, AND THE POLICE EMPLOYEE; AND

(II) THE ATTORNEY GENERAL APPROVES THE PAYMENT.

(2) PAYMENT OF LEGAL EXPENSES UNDER THIS SUBSECTION MAY BE MADE IN ACCORDANCE WITH THE STATE BUDGET OR FROM GENERAL OR CONTINGENCY FUNDS OF THE DEPARTMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88B, § 22(b) and (d).

In subsection (a)(2)(i) and (3)(ii) of this section, the phrase "in accordance with the State budget" is substituted for the former references to "appropriations to the Department" and "to the extent permitted by appropriation" for clarity and consistency with language used in this subtitle and other revised articles of the Code. Similarly, in subsection (b)(2) of this section, reference to payment "in accordance with the State budget" is substituted for the former phrase "from any funds specifically appropriated for that purpose" for clarity and consistency.

Defined terms: "Department" § 2-101

"Police employee" § 2-101

"Rule" § 2-101

"Secretary" § 2-101

2-407. UNIFORMS AND EQUIPMENT.

(A) IN GENERAL.

(1) THE DEPARTMENT SHALL PROVIDE UNIFORMS AND EQUIPMENT NECESSARY FOR THE PERFORMANCE OF THE DUTIES OF EMPLOYEES IN ACCORDANCE WITH THE STATE BUDGET.

(2) UNIFORMS AND EQUIPMENT SHALL BE PURCHASED BY THE DEPARTMENT IN ACCORDANCE WITH DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND REMAIN THE PROPERTY OF THE STATE.

(B) OFF-DUTY USE OF POLICE VEHICLES.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY MAY GRANT PERMISSION TO OFF-DUTY POLICE EMPLOYEES TO USE POLICE VEHICLES DURING OFF-DUTY HOURS IF, IN THE OPINION OF THE SECRETARY, THE VEHICLES WILL NOT BE NEEDED BY ON-DUTY POLICE EMPLOYEES.