

(1) A LAW ENFORCEMENT OFFICER WHO CONDUCTS A SEARCH OR SEIZURE IN ACCORDANCE WITH THIS SECTION SHALL FILE A WRITTEN REPORT WITH THE LAW ENFORCEMENT OFFICER'S EMPLOYER UNIT WITHIN 24 HOURS AFTER THE SEARCH OR SEIZURE.

(2) THE REPORT SHALL BE ON A FORM THAT THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES PRESCRIBES, SHALL INCLUDE THE NAME OF THE PERSON SEARCHED, AND SHALL DESCRIBE THE CIRCUMSTANCES SURROUNDING AND THE REASONS FOR THE SEARCH OR SEIZURE.

(3) A COPY OF THE REPORT SHALL BE SENT TO THE SECRETARY OF THE STATE POLICE.

(D) CIVIL ACTIONS.

ON REQUEST OF A LAW ENFORCEMENT OFFICER, THE ATTORNEY GENERAL SHALL DEFEND THE OFFICER IN A CIVIL ACTION, INCLUDING ANY APPEAL, IN WHICH THE OFFICER IS SUED FOR CONDUCTING A SEARCH OR SEIZURE UNDER THIS SECTION THAT IS ALLEGED TO BE UNREASONABLE AND UNLAWFUL.

(E) CONSTRUCTION OF SECTION.

(1) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT THE RIGHT OF A LAW ENFORCEMENT OFFICER TO CONDUCT ANY OTHER TYPE OF SEARCH OR SEIZURE OR MAKE AN ARREST THAT IS OTHERWISE AUTHORIZED BY LAW.

(2) THE PROVISIONS OF THIS SECTION ARE IN ADDITION TO AND NOT LIMITED BY THE PROVISIONS OF TITLE 2 OF THE CRIMINAL PROCEDURE ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 36D.

In subsection (a)(1) of this section, the reference to the authority of a law enforcement officer to "make an inquiry and conduct a limited search of a person" is added for clarity.

In subsection (a)(1)(i) and (2)(iv) of this section, the references to a violation of "§ 4-203 of this subtitle" are substituted for the former references to a violation of "§ 36B" of this subtitle for clarity. Although former Art. 27, § 36B is technically broader than revised § 4-203, it seems that the legislature meant, when referring to § 36B, only the crime of illegal wearing, carrying, or transporting of a handgun specified in § 36B(b), revised in § 4-203, and not the crime of using a handgun or antique firearm in the commission of a felony or crime of violence specified in § 36B(d), revised in § 4-204.

In subsection (a)(1)(iv) and (2)(iv) of this section, the former references to a person "in fact" wearing a handgun are deleted as unnecessary.

In subsection (a)(2) of this section, the introductory language "[i]f the circumstances specified under paragraph (1) of this subsection exist" is added for clarity.