

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Procedure

2-208.1.

(a) In this section, "Montgomery County fire and explosive investigator" means an individual who:

(1) is assigned FULL TIME to the Fire and Explosive Investigations Section of the Montgomery County Fire Marshal's Office AND IS A PAID EMPLOYEE;
~~and~~

(2) ~~{(i)}~~ has ~~the rank of a fire rescue lieutenant or higher, and~~ BEEN EMPLOYED BY THE MONTGOMERY COUNTY FIRE AND RESCUE SERVICE AS A FIREFIGHTER/RESCUER FOR AT LEAST 5 YEARS;

~~{(ii)}~~ (3) has successfully completed a training program from a police training school approved by the Police Training Commission established under Title 3, Subtitle 2 of the Public Safety Article; AND

(4) AT ALL TIMES MAINTAINS ACTIVE CERTIFICATION BY THE POLICE TRAINING COMMISSION.

(c) The Montgomery County Fire [Administrator] CHIEF:

(1) may limit the authority of a Montgomery County fire and explosive investigator under this section; and

(2) shall express the limitation in a written policy.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, April 24, 2008.

CHAPTER 297

(House Bill 864)