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By: **Senators Exum, Currie, Dorman, Green, Lawlah, and Pinsky**  
Introduced and read first time: February 2, 2000  
Assigned to: Budget and Taxation

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Committee Report: Favorable  
Senate action: Adopted  
Read second time: March 16, 2000

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CHAPTER 267

1 AN ACT concerning

2 **State Aid for Police Protection - Qualifying Municipality**

3 FOR the purpose of altering the definition of "qualifying municipality" for purposes of  
4 State allocation of money to municipalities for police protection; making certain  
5 stylistic changes; and generally relating to State allocation of money to  
6 municipalities for police protection.

7 BY repealing and reenacting, without amendments,  
8 Article 88B - Department of State Police  
9 Section 66(a)(2) and (3), (b), and (c)  
10 Annotated Code of Maryland  
11 (1998 Replacement Volume and 1999 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article 88B - Department of State Police  
14 Section 66(a)(7)  
15 Annotated Code of Maryland  
16 (1998 Replacement Volume and 1999 Supplement)

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

19 **Article 88B - Department of State Police**

20 66.

21 (a) As used in this subtitle:

1 (2) "Municipality" means any incorporated city or town, except  
2 Baltimore City, within Maryland; or where the context requires, the governing body  
3 thereof.

4 (3) "Expenditures for police protection" shall be those for the fiscal year  
5 immediately preceding the fiscal year for which the calculation of State aid is to be  
6 made. Thus, State aid for the first year of this grant (1968-1969) shall be based on  
7 "expenditures for police protection" in the fiscal year ending June 30, 1968; State aid  
8 for the second year of this grant (1969-1970) shall be based on expenditures in the  
9 fiscal year ending June 30, 1969, and so forth. "Expenditures for police protection"  
10 means salaries and wages, other operating expenses, capital outlays from current  
11 operating funds, and properly identifiable debt service, paid for police protection.  
12 Expenditures for sheriffs and constables are included only to the extent that such  
13 officers perform police protection functions. Expenditures for traffic control, park  
14 police, and a share of the cost of a central alarm system proportionate to its police use,  
15 are included. No part of expenditures for collecting from or servicing parking meters,  
16 nor of constructing or operating jails, is included.

17 (7) "Qualifying municipality" means [any] A municipality:

18 (I) 1. [whose] WHOSE "expenditures for police protection", as  
19 defined above, exceed \$5,000[.]; and

20 2. [which] THAT employs at least one qualified full-time  
21 [policeman] POLICE OFFICER, as determined by the Secretary; OR

22 (II) 1. WHOSE "EXPENDITURES FOR POLICE PROTECTION", AS  
23 DEFINED ABOVE, EXCEED \$80,000; AND

24 2. THAT EMPLOYS AT LEAST TWO QUALIFIED PART-TIME  
25 POLICE OFFICERS, AS DETERMINED BY THE SECRETARY, FROM A COUNTY POLICE  
26 DEPARTMENT OR COUNTY SHERIFF'S DEPARTMENT.

27 (b) For the fiscal year beginning July 1, 1975, and thereafter, the State shall  
28 pay to each subdivision, and to each qualifying municipality, each year in the manner  
29 and subject to the limitations and requirements hereinafter provided, an amount  
30 determined as follows:

31 (1) Share in Basic Expenditure. If the aggregate expenditures for police  
32 protection in a subdivision equal or exceed \$6.00 per capita, the State shall pay to the  
33 subdivision the amount, if any, by which the equivalent of \$6.00 per capita exceeds  
34 0.09% of the wealth base. If the aggregate expenditures for police protection in a  
35 subdivision are less than \$6.00 per capita, the State shall pay to the subdivision the  
36 amount, if any, by which aggregate expenditures for police protection exceed that  
37 proportion of 0.09 percent of the wealth base which aggregate expenditures for police  
38 protection bear to the equivalent of \$6.00 per capita.

39 (2) Share Over the Basic Expenditure. In addition to the amount, if any,  
40 payable under subparagraph (1) of this subsection, the State shall pay to each  
41 subdivision an amount equal to 25% of the amount, if any, by which aggregate

1 expenditures for police protection exceed the equivalent of \$6.00 per capita. Provided  
2 however:

3 (i) For subdivisions with a population density less than 100 per  
4 square mile, and less than 30% of total population residing in municipalities, there  
5 shall be no payment under this subparagraph (2).

6 (ii) For subdivisions with population density 100 or more but less  
7 than 500 per square mile, and for subdivisions with population density less than 100  
8 per square mile but with 30% or more of total population residing in municipalities,  
9 payment under this subparagraph (2) shall not exceed the equivalent of \$3.50 per  
10 capita.

11 (iii) For subdivisions with population density 500 or more but less  
12 than 900 per square mile, payment under this subparagraph (2) shall not exceed the  
13 equivalent of \$7.50 per capita.

14 (iv) For subdivisions with population density 900 or more but less  
15 than 1,100 per square mile, payment under paragraph (2) shall not exceed the  
16 equivalent of \$8.00 per capita.

17 (v) For subdivisions with population density 1,100 or more but less  
18 than 1,300 per square mile, payment under paragraph (2) shall not exceed the  
19 equivalent of \$9.25 per capita.

20 (vi) For subdivisions with population density 1,300 or more but less  
21 than 8,000 per square mile, payment under this subparagraph (2) shall be 25% of the  
22 amount by which aggregate expenditures for police protection exceed the equivalent  
23 of \$6.00 per capita but do not exceed the equivalent of \$36.00 per capita and 50% of  
24 the amount by which aggregate expenditures for police protection exceed the  
25 equivalent of \$36.00 per capita but do not exceed the equivalent of \$45.50 per capita.

26 (vii) For subdivisions with population density 8,000 or more per  
27 square mile, payment under this subparagraph (2) shall be 25% of the amount by  
28 which aggregate expenditures for police protection exceed the equivalent of \$6.00 per  
29 capita but do not exceed the equivalent of \$36.00 per capita and 50% of the amount by  
30 which aggregate expenditures for police protection exceed the equivalent of \$36.00  
31 per capita but do not exceed the equivalent of \$101.50 per capita.

32 (3) Minimum Grant. The State shall pay to each subdivision the amount,  
33 if any, by which the equivalent of \$2.50 per capita exceeds the total payments  
34 determined under subparagraphs (1) and (2). No subdivision for which the population  
35 estimate is less than the population estimated for the first year of this grant shall  
36 receive in any year a smaller amount of State aid for police protection than it received  
37 in any previous year, provided it has not reduced the level of expenditure for police  
38 protection which entitled it to the amount of that previous year's grant.

39 (4) Incentive Grant. In addition to the payments made under  
40 subparagraphs (1), (2), and (3) of this subsection, the State shall pay to each

1 subdivision with a population density of less than 500 per square mile, an amount the  
2 equivalent of \$2.00 per capita.

3 (5) Supplemental Grant. (i) In addition to the payments made under  
4 subparagraphs (1), (2), (3) and (4) of this subsection, the State shall pay:

5 1. To each subdivision, subject to subparagraph (ii) of this  
6 paragraph, an amount the equivalent of \$2.50 per capita; and

7 2. To Baltimore City, an amount the equivalent of fifty cents  
8 per capita.

9 (ii) The State shall allocate and distribute the supplemental grant  
10 to each subdivision among the subdivisions and the qualifying municipalities in those  
11 subdivisions on a per capita basis.

12 (6) Additional Grant. For the fiscal year ending June 30, 1981, and for  
13 each fiscal year thereafter, an additional grant equal to 10 percent of the total of the  
14 payments determined under subparagraphs (1), (2), (3) and (4) of this subsection, or  
15 an amount which shall not exceed the equivalent of \$1 per capita, whichever is the  
16 larger, shall be paid to the subdivisions.

17 (7) Minimum Payment in Certain Years. Each subdivision shall be paid  
18 that amount, if any, by which the grant paid to the subdivision in the fiscal year  
19 ending June 30, 1984 exceeds the total payments determined under subparagraphs  
20 (1), (2), (3), (4), (5) and (6) of this subsection.

21 (8) Municipal Sworn Officer Allocation. The State shall pay to each  
22 qualifying municipality, in addition to the payments made under subparagraphs (1)  
23 through (7) of this subsection an amount equal to \$1,800 for each sworn police officer  
24 actually employed on a full-time basis by the qualifying municipality, as determined  
25 by the Secretary.

26 (c) The payment received by each subdivision under subparagraphs (1), (2),  
27 (3), (4), (6) and (7) of subsection (b) shall be paid to each subdivision and qualifying  
28 municipality, in the exact proportion which the expenditures for police protection of  
29 the subdivision and of each qualifying municipality bear to aggregate expenditures  
30 for police protection.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 July 1, 2000.

