

SENATE BILL 453

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E4
SB 716/00 - B&T

2001 Regular Session
11r1074
CF 11r1073

By: **Senator McFadden (Baltimore City Administration) and Senator Pinsky (Prince George's County Administration) and Senators Blount, Della, Hoffman, Hughes, and Mitchell**

Introduced and read first time: February 2, 2001
Assigned to: Budget and Taxation

Committee Report: Favorable
Senate action: Adopted
Read second time: March 21, 2001

CHAPTER 603

1 AN ACT concerning

2 **Governor's Office of Crime Control and Prevention - Law Enforcement**
3 **Equipment Fund**

4 FOR the purpose of establishing a Law Enforcement Equipment Fund to assist local
5 law enforcement agencies in acquiring law enforcement equipment needed to
6 address violent crime; defining certain terms; requiring the Executive Director
7 of the Governor's Office of Crime Control and Prevention to establish
8 application procedures and administer the grants; requiring local law
9 enforcement agencies to provide certain statistics and other information to the
10 Executive Director; requiring the Executive Director to consider certain criteria
11 in determining the amount of the grants; requiring the local law enforcement
12 agencies to submit proof of appropriate expenditure; and generally relating to
13 the Law Enforcement Equipment Fund.

14 BY adding to
15 Article 41 - Governor - Executive and Administrative Departments
16 Section 4-101 to be under the new subtitle "Subtitle 1. Law Enforcement
17 Equipment Fund"
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 2000 Supplement)

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

1 **Article 41 - Governor - Executive and Administrative Departments**

2 SUBTITLE 1. LAW ENFORCEMENT EQUIPMENT FUND.

3 4-101.

4 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.

6 (2) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
7 GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.

8 (3) "FUND" MEANS THE LAW ENFORCEMENT EQUIPMENT FUND
9 ESTABLISHED UNDER THIS SECTION.

10 (4) "LOCAL LAW ENFORCEMENT AGENCY" MEANS THE AGENCY OF ANY
11 COUNTY OR MUNICIPAL CORPORATION, INCLUDING BALTIMORE CITY, WITHIN THIS
12 STATE THAT PERFORMS POLICE PROTECTION FUNCTIONS.

13 (5) "LAW ENFORCEMENT EQUIPMENT" MEANS ANY EQUIPMENT USED
14 FOR LAW ENFORCEMENT PURPOSES INCLUDING BODY ARMOR, CRIME TRACKING
15 TECHNOLOGY, PHOTO IMAGING EQUIPMENT, SURVEILLANCE DEVICES, WEAPONS,
16 AMMUNITION, AND COMMUNICATION DEVICES.

17 (B) A LAW ENFORCEMENT EQUIPMENT FUND IS ESTABLISHED TO ASSIST
18 LOCAL LAW ENFORCEMENT AGENCIES IN ACQUIRING LAW ENFORCEMENT
19 EQUIPMENT NEEDED TO ADDRESS VIOLENT CRIME.

20 (C) (1) THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE FUND IN
21 ACCORDANCE WITH THIS SECTION AND OTHER APPLICABLE LAW.

22 (2) THE FUND SHALL CONSIST OF MONEY APPROPRIATED IN THE STATE
23 BUDGET.

24 (3) PAYMENTS OUT OF THE FUND SHALL BE MADE TO A LOCAL LAW
25 ENFORCEMENT AGENCY BY THE STATE TREASURER AS AUTHORIZED BY THE
26 EXECUTIVE DIRECTOR.

27 (4) (I) THE FUND IS A CONTINUING, NONLAPSING FUND WHICH IS
28 NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

29 (II) THE TREASURER SHALL SEPARATELY HOLD AND THE
30 COMPTROLLER SHALL ACCOUNT FOR THE FUND IN CONJUNCTION WITH THE
31 EXECUTIVE DIRECTOR.

32 (III) THE TREASURER MAY INVEST MONEYS IN THE FUND IN THE
33 SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

34 (D) (1) THE EXECUTIVE DIRECTOR SHALL ESTABLISH APPLICATION
35 PROCEDURES FOR LOCAL LAW ENFORCEMENT AGENCIES TO APPLY FOR AID FROM

1 THE FUND, WITH FUNDING PRIORITY GIVEN TO THOSE JURISDICTIONS WITH THE
2 HIGHEST INCIDENCE OF VIOLENT CRIME.

3 (2) A LOCAL LAW ENFORCEMENT AGENCY APPLYING FOR AID FROM THE
4 FUND SHALL PROVIDE THE FOLLOWING INFORMATION TO THE EXECUTIVE
5 DIRECTOR:

6 (I) THE NUMBER OF VIOLENT CRIME INCIDENTS COMMITTED
7 WITHIN THE JURISDICTION OF THE LOCAL LAW ENFORCEMENT AGENCY FOR THE
8 LAST 2 YEARS; AND

9 (II) ANY OTHER INFORMATION THAT THE EXECUTIVE DIRECTOR
10 DEEMS NECESSARY IN MAKING AWARDS FOR LAW ENFORCEMENT EQUIPMENT.

11 (E) THE EXECUTIVE DIRECTOR, TO THE EXTENT PROVIDED IN THE STATE
12 BUDGET, SHALL PROVIDE GRANTS FOR THE PURCHASE OR REPLACEMENT OF LAW
13 ENFORCEMENT EQUIPMENT TO LOCAL LAW ENFORCEMENT AGENCIES BASED UPON
14 THE COMPARATIVE NEEDS OF EACH LOCAL LAW ENFORCEMENT AGENCY AS
15 DETERMINED FROM THE INFORMATION PROVIDED UNDER SUBSECTION (D)(2) OF
16 THIS SECTION.

17 (F) THE AID DISTRIBUTED UNDER THIS SECTION SHALL BE USED TO
18 SUPPLEMENT, NOT SUPPLANT, OTHER LOCAL LAW ENFORCEMENT FUNDING.

19 (G) AFTER A LOCAL LAW ENFORCEMENT AGENCY RECEIVES NOTICE OF A
20 GRANT AWARD FROM THE EXECUTIVE DIRECTOR, THE LOCAL LAW ENFORCEMENT
21 AGENCY MUST SUBMIT PROOF OF EXPENDITURES ON LAW ENFORCEMENT
22 EQUIPMENT TO THE EXECUTIVE DIRECTOR.

23 (H) THE EXECUTIVE DIRECTOR SHALL REPORT ANNUALLY BY SEPTEMBER 1
24 TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE
25 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, AS TO THE DISTRIBUTION OF
26 AID PROVIDED UNDER THIS SECTION.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2001.