

Article - Public Safety

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§8–103.

(a) Subject to subsection (c) of this section, each county shall receive an initial allocation of money based on a percentage to be determined in the following manner:

(1) the Director of Assessments and Taxation shall certify to the Director each county's total percentage of land use property tax accounts, including vacant unimproved properties, relative to the statewide total of all land use property tax accounts for the first completed fiscal year immediately preceding the fiscal year for which money is to be allocated;

(2) except as provided in item (3) of this subsection, the percentage determined in item (1) of this subsection shall then be applied for each county to any amount included in the State budget for the purposes of this subtitle; and

(3) each county shall receive an allocation of at least 2% of the total Fund as appropriated in the State budget, in addition to the amount that is distributed to fire, rescue, and ambulance companies, departments, or stations located in qualified municipal corporations in accordance with subsection (c) of this section.

(b) (1) In accordance with the formula provided in paragraph (2) of this subsection, each county shall distribute a minimum percentage of funds that the county receives from the Fund to volunteer fire, rescue, and ambulance companies.

(2) The percentage of funds required to be distributed by each county under paragraph (1) of this subsection shall be equal to the same total percentage of funds distributed by each county to volunteer fire, rescue, and ambulance companies from the Fund in fiscal year 2011 or at least 51% of the allocation received by each county under subsection (a) of this section, whichever is greater.

(3) Each county shall distribute the money provided under this subsection on the basis of need, as determined by the county, to volunteer fire, rescue, and ambulance companies.

(4) In determining need under this subsection, the county shall consider:

(i) the failure to meet minimum standards established by the county or the Maryland State Firemen's Association;

(ii) the existence or potential existence of an emergency situation as described in § 8–203 of this title;

(iii) the age and condition of existing facilities and equipment;

(iv) the lack of availability of mutual aid;

- (v) any service problems associated with demographic conditions;
- (vi) a company's inability to raise money to pay for an item; and
- (vii) any other relevant factors.

(5) This subsection does not apply to:

- (i) Baltimore City; or
- (ii) distributions made to fire, rescue, and ambulance companies, departments, or stations located in qualified municipal corporations in accordance with subsection (c) of this section.

(c) (1) Subject to paragraph (6) of this subsection, each county shall distribute the money provided under this subtitle on the basis of need to fire, rescue, and ambulance companies, departments, or stations in the county, including companies, departments, or stations:

- (i) located in municipal corporations; or
- (ii) located outside the State if the company, department, or station:
 1. has been a member of the Maryland State Firemen's Association for at least the past 10 years; and
 2. has a first due response area in the State.

(2) Each county shall determine need in accordance with procedures that the county uses to adopt its budget.

(3) In determining need under this subsection, the county shall consider:

- (i) the failure to meet minimum standards established by the county or the Maryland State Firemen's Association;
- (ii) the existence or potential existence of an emergency situation as described in § 8-203 of this title;
- (iii) the age and condition of existing facilities and equipment;
- (iv) the lack of availability of mutual aid;
- (v) any service problems associated with demographic conditions;
- (vi) any other relevant factors.

and

(4) In addition to consideration of the factors in paragraph (3) of this

subsection, for a volunteer company the county shall consider the company's inability to raise money to pay for the item.

(5) Notwithstanding paragraphs (3) and (4) of this subsection, each county shall give the highest funding priority to the failure to meet minimum standards or the existence of an emergency situation as described in § 8–203 of this title.

(6) (i) In this paragraph, “expenditures of the qualified municipal corporation” includes revenues appropriated to volunteer fire, rescue, and ambulance companies.

(ii) Distribution of money to fire, rescue, and ambulance companies, departments, or stations located in qualified municipal corporations in a county in the aggregate may not be less than 50% of the proportion that the expenditures of the qualified municipal corporation bear to total aggregate expenditures for fire protection in that county.

(iii) A county shall distribute the money allocated under this paragraph to fire, rescue, and ambulance companies, departments, or stations located in qualified municipalities.

(7) (i) To receive money under this subsection, each county shall participate in the Maryland Fire Incident Reporting System and Ambulance Information System.

(ii) A county shall be deemed in compliance with subparagraph (i) of this paragraph if the county has participated in the Maryland Fire Incident Reporting System and Ambulance Information System during the immediately preceding fiscal year for which money is to be allocated.

(iii) The State Fire Marshal shall:

1. adopt policies and procedures for determining if a county has participated in the Maryland Fire Incident Reporting System; and

2. certify to the Director by July 1 of each year whether a county has participated in the Maryland Fire Incident Reporting System during the immediately preceding fiscal year.

(iv) The Executive Director of the Maryland Institute for Emergency Medical Services Systems shall:

1. adopt policies and procedures for determining if a county has participated in the Ambulance Information System; and

2. certify to the Director by July 1 of each year whether a county has participated in the Ambulance Information System during the immediately preceding fiscal year.

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