

Department of Legislative Services
 Maryland General Assembly
 2017 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1521 (Delegate Rosenberg)
 Judiciary

**Department of Health and Mental Hygiene - Commission to Study Firearm
 Violence - Establishment**

This bill establishes the Maryland Commission to Study Firearm Violence, an independent commission within the Department of Health and Mental Hygiene (DHMH), to award grants and loans, develop recommendations, administer a specified fund, and establish a process for awarding grants and loans relating to firearm violence reduction and prevention. DHMH must provide staff for the commission. The bill creates a Maryland Firearm Violence Research Fund administered by the commission to promote State-funded firearm violence research through grants and loans to public and private entities in the State. The bill establishes annual reporting requirements regarding the activities, findings, and recommendations of the commission.

Fiscal Summary

State Effect: General fund expenditures increase by \$750,000 in FY 2018 and by \$1.0 million annually thereafter to capitalize the fund. Special fund revenues to and expenditures from the fund increase correspondingly. Special fund administrative expenditures for DHMH increase by approximately \$60,500 in FY 2018 and are paid from the fund; future year administrative expenditures reflect annualization and ongoing costs. The balance of special funding each year is assumed to be awarded as grants.

(in dollars)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
SF Revenue	\$750,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
GF Expenditure	\$750,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
SF Expenditure	\$750,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Net Effect	(\$750,000)	(\$1,000,000)	(\$1,000,000)	(\$1,000,000)	(\$1,000,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Potential significant impact on local revenues and expenditures to the extent that local governments receive grants from the fund.

Small Business Effect: Potential meaningful to the extent that any small business qualifies for and receives a grant or loan from the fund.

Analysis

Bill Summary:

Maryland Commission to Study Firearm Violence: The commission must:

- award grants and loans to public and private entities to research (1) the factors that affect the risk and rate of occurrence of firearm violence, as specified; (2) the individual, local, and national consequences of firearm violence; (3) methods for preventing and reducing firearm violence at the individual, local, and national levels; (4) the effectiveness of existing laws and policies intended to reduce firearm violence, as specified; and (5) efforts to promote the responsible ownership and use of firearms;
- develop recommendations relating to effective firearm violence prevention programs and legislation intended to reduce firearm violence, as specified;
- administer the Maryland Firearm Violence Research Fund; and
- establish by regulation a process for public and private entities to apply to the commission for grants and loans to research firearm violence and for awarding grants and loans to research firearm violence.

The process for awarding grants and loans to research firearm violence must be modeled after the peer review process used by the National Institutes of Health in its grant-making process.

By January 1 each year, the commission must report to the Governor and the General Assembly on its activities relating to the award of grants and loans and its findings and recommendations related to firearm violence.

The bill establishes provisions relating to commission membership (including advisory members), terms, and meetings. The Governor must designate a chair from among the nonadvisory members of the commission. A member of the commission may not receive compensation but is entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

Maryland Firearm Violence Research Fund: The fund consists of (1) money appropriated in the State budget; (2) money from any other source accepted for the benefit of the fund; and (3) investment earnings. The fund may be used only for the award of grants and loans for firearm violence research, as specified, and administrative expenses. Money distributed from the fund must be used to supplement, but not supplant, any other funding for the commission or firearm violence research.

Current Law: Chapter 2 of 2000 established the Cease Fire Council within the Department of State Police (DSP). Chapter 217 of 2005 transferred the Cease Fire Council from DSP to the Governor’s Office of Crime Control and Prevention (GOCCP). GOCCP is required to provide staff to the 11-member council, and the assistant Attorney General for GOCCP is assigned as the legal advisor to the council.

The council administers the Cease Fire Council Grant Program to support “innovative and collaborative initiatives” to reduce firearms violence. The program is required to be funded as provided in the State budget, and program expenditures may only be made in accordance with the State budget or by budget amendment. Grants made by the council are now called STOP Gun Violence Grants.

When making grants, the council must consider and give priority to (1) comprehensive and coordinated law enforcement and prosecution programs that target criminals and juveniles who use or illegally possess firearms; (2) law enforcement and prosecution salaries and overtime in support of firearm violence reduction programs; (3) covert firearms-related investigations and debriefing of criminal and juvenile arrestees and offenders for information related to illegal firearms trafficking; (4) initiatives that support the tracing of firearms used to commit crimes or delinquent acts and the identification of illegal firearms traffickers; (5) purchases of technology and information systems to support firearm violence reduction initiatives; and (6) other efforts that aid in apprehending and prosecuting criminals or apprehending and filing a complaint against juveniles who use or illegally possess firearms.

The council is specifically required to (1) make grants; (2) establish or assist in the establishment of programs designed to reduce the incidence of firearms violence-related crime and encourage participation in existing programs with these objectives; (3) identify specific goals, objectives, and methodologies to be used in support of programs eligible for funding; (4) identify priorities for firearms violence-related crime prevention strategies in the State; and (5) develop criteria to evaluate the outcomes of programs that receive money under the program.

The Governor’s proposed fiscal 2018 budget for the STOP Gun Violence Grants made by the council is \$926,940. The appropriation for fiscal 2017 was the same amount.

State Fiscal Effect: Although the bill does not require a specific amount of funding to be appropriated to the fund in any given year, this analysis assumes a minimum level of \$1.0 million annually is required to operate the grant and loan program under the bill. Thus, general fund expenditures increase by \$750,000 in fiscal 2018 (accounting for the bill’s October 1, 2017 effective date) and \$1.0 million annually thereafter in order to capitalize the new fund. Special fund revenues to and from the fund increase correspondingly. This analysis does not reflect any special fund revenues that may accrue to the fund from investment earnings. This analysis also assumes that only grants are awarded from the fund as the bill does not include any loan repayment provisions.

The bill authorizes the special fund to be used for administrative expenses. Thus, special fund administrative expenditures for DHMH increase by \$65,582 in fiscal 2018, which accounts for the bill’s October 1, 2017 effective date. This estimate reflects the cost of hiring one full-time program administrator to staff the commission and administer the grant program. The estimate includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses. The balance of funding available, \$684,418 in fiscal 2018, is assumed to be available for awarding grants that year.

Position	1
Salary and Fringe Benefits	\$60,473
One-time Start-up and Ongoing Operating Expenses	<u>5,109</u>
Total FY 2018 State Expenditures	\$65,582

Future year expenditures reflect a full salary with annual increases and employee turnover and ongoing operating expenses. The balance of funding each year is assumed to be awarded as grants – with more than \$915,000 available for grants in fiscal 2019.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Governor’s Office of Crime Control and Prevention; University System of Maryland; Department of Health and Mental Hygiene; Department of State Police; Department of Legislative Services

Fiscal Note History: First Reader - March 13, 2017
mm/jc

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