HOUSE BILL 543

8lr1406

By: **Delegates Ali, Buckel, Frush, Gibson, Jalisi, Mosby, Rose, and Rosenberg** Introduced and read first time: January 26, 2018 Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

Law Enforcement – First Responders Killed or Disabled in the Line of Duty Fund

4 FOR the purpose of establishing the First Responders Killed or Disabled in the Line of Duty $\mathbf{5}$ Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the 6 Executive Director of the Governor's Office of Crime Control and Prevention to 7 administer the Fund; requiring the State Treasurer to hold the Fund and the 8 Comptroller to account for the Fund; specifying the contents of the Fund; providing 9 for the investment of money from the Fund; authorizing the Executive Director to 10 make one-time grants to certain individuals; requiring the Executive Director to 11 establish a certain application procedure; requiring the Executive Director to take a 12certain factor into consideration when awarding grants from the Fund; limiting the 13 amount of money the Executive Director may award; requiring certain fees paid for 14a certain permit to be allocated to the Fund; defining certain terms; and generally relating to the First Responders Killed or Disabled in the Line of Duty Fund. 15

- 16 BY adding to
- 17 Article Public Safety
- Section 4–801 through 4–803 to be under the new subtitle "Subtitle 8. First
 Responders Killed or Disabled in the Line of Duty Fund"
- 20 Annotated Code of Maryland
- 21 (2011 Replacement Volume and 2017 Supplement)
- 22 BY repealing and reenacting, without amendments,
- 23 Article Public Safety
- 24 Section 5–303
- 25 Annotated Code of Maryland
- 26 (2011 Replacement Volume and 2017 Supplement)
- 27 BY repealing and reenacting, with amendments,
- 28 Article Public Safety

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



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$ \begin{array}{c} 1 \\ 2 \\ 3 \end{array} $	Section 5–304 Annotated Code of Maryland (2011 Replacement Volume and 2017 Supplement)
$\frac{4}{5}$	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
6	Article – Public Safety
7 8	SUBTITLE 8. FIRST RESPONDERS KILLED OR DISABLED IN THE LINE OF DUTY Fund.
9	4-801.
10 11	(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
12 13	(B) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.
$\begin{array}{c} 14 \\ 15 \end{array}$	(C) "FIRST RESPONDER" HAS THE MEANING STATED IN § 18–213.2 OF THE HEALTH – GENERAL ARTICLE.
$\begin{array}{c} 16 \\ 17 \end{array}$	(D) "Fund" means the First Responders Killed or Disabled in the Line of Duty Fund.
18	4-802.
19 20	(A) THERE IS A FIRST RESPONDERS KILLED OR DISABLED IN THE LINE OF DUTY FUND.
21 22 23	(B) THE PURPOSE OF THE FUND IS TO PROVIDE FINANCIAL ASSISTANCE TO FIRST RESPONDERS AND THE FAMILIES OF FIRST RESPONDERS WHO ARE KILLED OR DISABLED IN THE LINE OF DUTY.
24	(C) THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE FUND.
$\begin{array}{c} 25\\ 26 \end{array}$	(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.
$27 \\ 28 \\ 29$	(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND IN CONJUNCTION WITH THE EXECUTIVE DIRECTOR.

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2 (1) MONEY CREDITED TO THE FUND UNDER § 5–304 OF THE PUBLIC 3 SAFETY ARTICLE;

4 (2) MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT 5 OF THE FUND; AND

6 (3) INVESTMENT EARNINGS OF THE FUND.

THE FUND CONSISTS OF:

7 (F) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN 8 THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

9 **4–803.**

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(E)

10 (A) THE EXECUTIVE DIRECTOR MAY MAKE A ONE-TIME GRANT TO A FIRST 11 RESPONDER OR THE FAMILY OF A FIRST RESPONDER FROM THE FUND.

12 (B) THE EXECUTIVE DIRECTOR SHALL ESTABLISH PROCEDURES FOR A 13 FIRST RESPONDER OR THE FAMILY OF A FIRST RESPONDER TO APPLY FOR A GRANT 14 FROM THE FUND AND FOR THE EVALUATION OF PROGRESS IN FULFILLING THE 15 PURPOSE OF THE FUND.

16 (C) WHEN MAKING GRANTS FROM THE FUND, THE EXECUTIVE DIRECTOR 17 SHALL CONSIDER THE FINANCIAL NEED OF THE FIRST RESPONDER OR THE FAMILY 18 OF THE FIRST RESPONDER.

19 (D) THE EXECUTIVE DIRECTOR MAY NOT MAKE A GRANT FROM THE FUND 20 EXCEEDING \$500,000.

21 5-303.

A person shall have a permit issued under this subtitle before the person carries, wears, or transports a handgun.

 $24 \quad 5-304.$

25 (a) An application for a permit shall be made under oath.

26 (b) (1) Subject to subsections (c) and (d) of this section, the Secretary may 27 charge a nonrefundable fee payable when an application is filed for a permit.

28 (2) The fee may not exceed:

29 (i) \$75 for an initial application;

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(ii) \$50 for a renewal or subsequent application; and 1 $\mathbf{2}$ (iii) \$10 for a duplicate or modified permit. 3 The fees under this subsection are in addition to the fees authorized (3)under § 5–305 of this subtitle. 4 $\mathbf{5}$ The Secretary may reduce the fee under subsection (b) of this section (c) 6 accordingly for a permit that is granted for one day only and at one place only. 7(d) The Secretary may not charge a fee under subsection (b) of this section to: 8 (1)a State, county, or municipal public safety employee who is required to 9 carry, wear, or transport a handgun as a condition of governmental employment; or 10 (2)a retired law enforcement officer of the State or a county or municipal 11 corporation of the State. 12The applicant may pay a fee under this section by a personal check, business (e) check, certified check, or money order. 1314FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND FOR EACH FISCAL (F) YEAR THEREAFTER, FEES PAID UNDER THIS SECTION SHALL BE ALLOCATED TO THE 15FIRST RESPONDERS KILLED OR DISABLED IN THE LINE OF DUTY FUND 16 ESTABLISHED UNDER TITLE 4, SUBTITLE 8 OF THIS ARTICLE. 17SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 18

19 October 1, 2018.

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