

SENATE BILL 439

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CF 4lr2433

By: **Senators Elfreth, Hettleman, Kelly, and Salling**

Introduced and read first time: January 22, 2024

Assigned to: Judicial Proceedings and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Victims of Domestic Violence Program – Certification and Grant**
3 **Fund**

4 FOR the purpose of requiring a victims of domestic violence program to be certified by the
5 federally recognized State domestic violence coalition as a comprehensive domestic
6 violence program; establishing the Victims of Domestic Violence Program Grant
7 Fund as a special, nonlapsing fund in the Governor’s Office of Crime Prevention,
8 Youth, and Victim Services; requiring interest earnings of the Fund to be credited to
9 the Fund; and generally relating to the victims of domestic violence program.

10 BY repealing and reenacting, with amendments,
11 Article – Family Law
12 Section 4–515 and 4–516
13 Annotated Code of Maryland
14 (2019 Replacement Volume and 2023 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – State Finance and Procurement
17 Section 6–226(a)(2)(i)
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2023 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – State Finance and Procurement
22 Section 6–226(a)(2)(ii)189. and 190.
23 Annotated Code of Maryland
24 (2021 Replacement Volume and 2023 Supplement)

25 BY adding to
26 Article – State Finance and Procurement
27 Section 6–226(a)(2)(ii)191.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2021 Replacement Volume and 2023 Supplement)

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

5 **Article – Family Law**

6 4–515.

7 (a) (1) The Executive Director shall establish a program in the Governor’s
8 Office of Crime Prevention, Youth, and Victim Services to help victims of domestic violence
9 and their children.

10 (2) The purpose of the program is to provide for victims of domestic violence
11 and their children, in each region of this State:

12 (i) temporary shelter or help in obtaining shelter;

13 (ii) counseling;

14 (iii) information;

15 (iv) referral; and

16 (v) rehabilitation.

17 (b) As a part of the domestic violence program, there shall be, in a major
18 population center of this State, at least 1 program serving the area.

19 (c) Any program established under this section shall be subject to the following
20 conditions:

21 (1) the program shall provide victims of domestic violence and their
22 children with a temporary home and necessary counseling;

23 (2) the Governor’s Office of Crime Prevention, Youth, and Victim Services
24 shall:

25 (i) supervise the program;

26 (ii) set standards of care and admission policies;

27 (iii) monitor the operation of the program and annually evaluate the
28 effectiveness of the program;

1 (iv) adopt rules and regulations that set fees for services at and
2 govern the operation of each program; and

3 (v) regularly consult, collaborate with, and consider the
4 recommendations of the federally recognized State domestic violence coalition regarding
5 domestic violence programs and policies, practices, and procedures that impact victims of
6 domestic violence and their children;

7 (3) the program shall accept from the police or any other referral source in
8 the community any victim of domestic violence and the child of any victim of domestic
9 violence; [and]

10 (4) housing may not be provided under this subtitle to an applicant for
11 housing who is not a resident of this State at the time the application for housing is made;
12 **AND**

13 **(5) THE PROGRAM SHALL BE CERTIFIED BY THE FEDERALLY**
14 **RECOGNIZED STATE DOMESTIC VIOLENCE COALITION AS A COMPREHENSIVE**
15 **DOMESTIC VIOLENCE PROGRAM.**

16 [(d) (1) As funds become available, the Executive Director may extend the
17 domestic violence program to other areas in this State.

18 (2) Expansion of the domestic violence program may include:

19 (i) establishing additional shelters; or

20 (ii) providing funds and technical assistance to a local organization
21 or agency that shows that it is able and willing to run a domestic violence program.]

22 4-516.

23 (a) Subject to § 2-1257 of the State Government Article, the Executive Director
24 shall submit to the General Assembly a report on the domestic violence program annually.

25 [(b) In addition to receiving funds from the annual budget, the Executive Director
26 shall attempt to secure funding, including in-kind contributions, for the establishment and
27 operation of the domestic violence program from:

28 (1) the federal government;

29 (2) local governments; and

30 (3) private sources.]

1 **(B) (1) IN THIS SUBSECTION, "FUND" MEANS THE VICTIMS OF DOMESTIC**
2 **VIOLENCE PROGRAM GRANT FUND.**

3 **(2) THERE IS A VICTIMS OF DOMESTIC VIOLENCE PROGRAM GRANT**
4 **FUND.**

5 **(3) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO PUBLIC**
6 **OR PRIVATE NONPROFIT COMPREHENSIVE DOMESTIC VIOLENCE PROGRAMS**
7 **CERTIFIED BY THE FEDERALLY RECOGNIZED STATE DOMESTIC VIOLENCE**
8 **COALITION.**

9 **(4) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND**
10 **VICTIM SERVICES SHALL:**

11 **(I) ADMINISTER THE FUND; AND**

12 **(II) ESTABLISH PROCEDURES TO AWARD GRANTS FROM THE**
13 **FUND.**

14 **(5) GRANTS MAY BE USED BY PROGRAMS CERTIFIED BY THE**
15 **FEDERALLY RECOGNIZED STATE DOMESTIC VIOLENCE COALITION FOR PROGRAM**
16 **OPERATIONS, INCLUDING ESTABLISHING ADDITIONAL SHELTERS.**

17 **(6) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
18 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

19 **(II) THE STATE TREASURER SHALL HOLD THE FUND**
20 **SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

21 **(7) THE FUND CONSISTS OF:**

22 **(I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE**
23 **FUND;**

24 **(II) ANY INTEREST EARNINGS OF THE FUND; AND**

25 **(III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**
26 **FOR THE BENEFIT OF THE FUND.**

27 **(8) THE EXECUTIVE DIRECTOR SHALL ATTEMPT TO SECURE**
28 **FUNDING FOR THE FUND, INCLUDING IN-KIND CONTRIBUTIONS, FROM:**

29 **(I) THE FEDERAL GOVERNMENT;**

1 (II) LOCAL GOVERNMENTS; AND

2 (III) PRIVATE SOURCES.

3 (9) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO PUBLIC
4 OR PRIVATE NONPROFIT COMPREHENSIVE DOMESTIC VIOLENCE PROGRAMS
5 CERTIFIED BY THE FEDERALLY RECOGNIZED STATE DOMESTIC VIOLENCE
6 COALITION.

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

9 (II) ANY INTEREST EARNING OF THE FUND SHALL BE CREDITED
10 TO THE FUND.

11 (11) THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN
12 APPROPRIATION ANNUALLY OF \$5,000,000 TO THE FUND.

13 **Article – State Finance and Procurement**

14 6–226.

15 (a) (2) (i) Notwithstanding any other provision of law, and unless
16 inconsistent with a federal law, grant agreement, or other federal requirement or with the
17 terms of a gift or settlement agreement, net interest on all State money allocated by the
18 State Treasurer under this section to special funds or accounts, and otherwise entitled to
19 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
20 Fund of the State.

21 (ii) The provisions of subparagraph (i) of this paragraph do not apply
22 to the following funds:

23 189. the Teacher Retention and Development Fund; [and]

24 190. the Protecting Against Hate Crimes Grant Fund; AND

25 **191. THE VICTIMS OF DOMESTIC VIOLENCE PROGRAM**
26 **GRANT FUND.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2024.