

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 121
Appropriations

(Delegate Amprey)

**Department of Public Safety and Correctional Services - Training Facilities With
an Outdoor Firearm Range - Location**

This bill establishes the intent of the General Assembly that the Department of Public Safety and Correctional Services (DPSCS) may not locate an outdoor training facility with a firearm range near any building, grounds, lot, or open space owned or occupied by a hospital, an educational facility, a State or local correctional facility, or a juvenile facility. In fiscal 2026 through 2030, the Governor must include in the annual budget bill an amount sufficient for the planning and construction of a DPSCS training facility that satisfies that intent. By December 15, 2024, and each December 15 through December 15, 2030, DPSCS must submit a report to the Governor and the General Assembly on specified information relating to training facilities and firearm ranges. In addition, under specified conditions, DPSCS must provide notice at least 24 hours before a firearms training is scheduled at an outdoor training facility. **The bill takes effect July 1, 2024, and terminates June 30, 2031.**

Fiscal Summary

State Effect: General fund expenditures increase by \$100,000 in FY 2025 only for contractual services to complete the first annual report. Potential significant increase in pay-as-you-go (PAYGO) general fund expenditures to construct training facilities that meet the stated intent; based on information from DPSCS, the cost could total approximately \$100.0 million over multiple years, although that estimate cannot be independently verified at this time. Revenues are not affected.

Local Effect: None.

Small Business Effect: Minimal or none.

Analysis

Bill Summary: If a firearms training is scheduled at an outdoor training facility operated by DPSCS and a hospital, educational facility, State or local correctional facility, or juvenile facility is located close enough that an individual might hear the sound of gunshots, at least 24 hours before the training, DPSCS must provide the date, time, and duration of the training to the entity responsible for the hospital, educational facility, State or local correctional facility, or juvenile facility.

The report that DPSCS is required to provide to the Governor and the General Assembly must include:

- the total number of training facilities with firearm ranges owned or used by DPSCS or the Department of State Police (DSP) near a hospital, an educational facility, a State or local correctional facility, or a juvenile facility;
- the cost to relocate or replace such a facility to an area away from such facilities;
- data on trauma-related outcomes due to the location of firearm ranges near a hospital, an educational facility, a State or local correctional facility, or a juvenile facility;
- gunshot decibel and distance thresholds for physical and mental health and safety; and
- the feasibility of temporarily relocating firearm range training by DPSCS or DSP to Greenbury Point at the U.S. Naval Academy in Annapolis.

Current Law: Generally, training for the certification of law enforcement officers in the State may be conducted at Maryland Police Training and Standards Commission (MPTSC) facilities or at any of 20 police training academies in the State certified by MPTSC. MPTSC operates approved police training schools and prescribes standards for and certifies schools that offer police and security training. In consultation and cooperation with various entities, MPTSC also sets minimum qualifications for instructors and certifies qualified instructors for approved training schools.

State Expenditures:

Funding for Training Facility and the General Assembly's Intent

The bill requires the Governor to include in the annual budget bill, for fiscal 2026 through 2030, an appropriation sufficient for the planning and construction of a DPSCS training facility that satisfies the intent of the General Assembly established in the bill regarding where a training facility with a firearm range may be located. However, the bill's language does not meet the requirements necessary to establish a mandated appropriation. Generally,

any legislation mandating funding must include either an exact dollar figure or a funding formula that makes it possible to compute the level of funding required. Accordingly, any funding is discretionary.

To the extent that DPSCS constructs training facilities that meet the intent expressed in the bill, the cost is significant. MPTSC currently operates five firearm ranges in the State. These firearm ranges, which operate almost daily serving State, federal, and local law enforcement and correctional agencies, are located at or near correctional facilities throughout the State. DPSCS advises that the cost to relocate and construct replacement facilities could total approximately \$20.0 million per facility, or \$100.0 million total over multiple years; however, the Department of Legislative Services cannot independently verify that estimate at this time.

Generally, State construction projects are either funded with general obligation debt in the capital budget or with PAYGO general funds through the operating budget. The General Assembly cannot mandate funding in the capital budget. The State's capital program is determined annually through the capital budget process subject to debt affordability limits. As total spending is fixed each year, to the extent that a new project is added to the program, other projects may receive less funding, be delayed, or get canceled.

The General Assembly may, however, establish a mandated appropriation in the operating budget, in which case PAYGO general funds are used. If funding is provided through the operating budget, PAYGO general fund expenditures increase significantly for DPSCS to construct training facilities that meet the intent expressed in the bill.

Annual Report and Required Notice

While DPSCS can provide the notice required under the bill and most of the required information for the annual report, the department does not have any expertise in collecting or reporting on data relating to trauma outcomes or gunshot decibel and distance thresholds for physical and mental health and safety. Therefore, contractual services are needed at a cost of \$100,000 in fiscal 2025 only (to complete the first annual report).

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 1028 of 2023.

Designated Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services;
Department of State Police; Department of Legislative Services

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km/lgc

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