
By: Senator Hughes

Introduced and read first time: January 31, 1997

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **State Police - Robbery Prevention Program and Fund**

3 FOR the purpose of establishing the Robbery Prevention Program and the Robbery
4 Prevention Fund; requiring the State Police to identify a certain number of
5 commercial establishments that have been subject to a certain number of robberies
6 during a certain time period; providing a procedure to contest the identification of
7 an establishment; requiring a lottery to determine participation in the Program;
8 requiring the investigation of and recommendations for each participating
9 establishment; requiring a participating establishment to implement the
10 recommendations within a certain time period; providing for the assessment of fines
11 and the deposit of fines in the Robbery Prevention Fund; requiring the State Police
12 to administer a grants program for robbery prevention; requiring the adoption of
13 certain regulations; establishing the Robbery Prevention Fund to be used for
14 providing grants for robbery prevention; requiring the State Comptroller to
15 establish and maintain a certain account; providing for the accounting, investing,
16 and budgeting of the Fund in a certain manner; providing that the Fund shall
17 consist of money from certain sources; providing for the administration of the Fund
18 by the Department of State Police; requiring the State Police to report to the
19 General Assembly on or before certain dates; defining certain terms; and generally
20 relating to the Robbery Prevention Program and Robbery Prevention Fund.

21 BY adding to

22 Article 88B - Department of State Police
23 Section 9A
24 Annotated Code of Maryland
25 (1995 Replacement Volume and 1996 Supplement)

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

28 **Article 88B - Department of State Police**

29 9A.

30 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
31 INDICATED.

32 (2) "FUND" MEANS THE ROBBERY PREVENTION FUND.

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1 (3) "PROGRAM" MEANS THE ROBBERY PREVENTION PROGRAM.

2 (B) THE DEPARTMENT SHALL CONSULT WITH LOCAL LAW ENFORCEMENT
3 AGENCIES IN ORDER TO IDENTIFY 200 INDIVIDUAL COMMERCIAL ESTABLISHMENTS
4 IN THE STATE THAT HAVE BEEN THE SUBJECT OF FOUR OR MORE ROBBERIES
5 DURING THE CURRENT OR PREVIOUS CALENDAR YEAR.

6 (C) (1) AFTER IDENTIFYING THE 200 ESTABLISHMENTS UNDER SUBSECTION
7 (B) OF THIS SECTION, THE DEPARTMENT SHALL NOTIFY EACH ESTABLISHMENT OF
8 THIS DETERMINATION.

9 (2) (I) A COMMERCIAL ESTABLISHMENT THAT HAS BEEN IDENTIFIED
10 BY THE DEPARTMENT AS HAVING HAD FOUR OR MORE ROBBERIES DURING THE
11 CURRENT OR PREVIOUS CALENDAR YEAR MAY NOTIFY THE DEPARTMENT IN
12 WRITING WITHIN 15 DAYS OF RECEIVING NOTICE UNDER PARAGRAPH (1) OF THIS
13 SUBSECTION THAT IT HAS NOT BEEN SUBJECT TO THE ROBBERIES AS STATED.

14 (II) WITHIN 15 DAYS AFTER RECEIVING A NOTICE FROM AN
15 ESTABLISHMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE
16 DEPARTMENT SHALL MAKE AN INVESTIGATION TO DETERMINE WHETHER ITS
17 INFORMATION IS ACCURATE AND SHALL NOTIFY THE ESTABLISHMENT OF THE
18 RESULTS OF ITS INVESTIGATION. THE DETERMINATION OF THE DEPARTMENT
19 AFTER ITS INVESTIGATION IS FINAL.

20 (D) (1) AFTER IDENTIFYING 200 ESTABLISHMENTS UNDER THIS SECTION,
21 THE DEPARTMENT SHALL CONDUCT A LOTTERY TO SELECT 100 OF THESE
22 ESTABLISHMENTS FOR PARTICIPATION IN THE PROGRAM.

23 (2) AFTER THE SELECTION OF THE ESTABLISHMENTS UNDER
24 PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL INVESTIGATE EACH
25 ESTABLISHMENT SELECTED IN ORDER TO DETERMINE THE CURRENT SECURITY
26 MEASURES USED BY EACH ESTABLISHMENT.

27 (3) AFTER THE INVESTIGATION, THE DEPARTMENT SHALL
28 RECOMMEND IN WRITING ADDITIONAL SECURITY MEASURES TO BE UNDERTAKEN
29 BY EACH ESTABLISHMENT, INCLUDING:

30 (I) LIMITING THE AMOUNT OF CASH KEPT ON THE
31 ESTABLISHMENT TO \$30 OR LESS, OR TO SOME GREATER AMOUNT IF THE
32 DEPARTMENT DETERMINES THAT A GREATER AMOUNT IS NECESSARY AND
33 REASONABLE;

34 (II) INSTALLING BULLET-PROOF ENCLOSURES FOR THE
35 EMPLOYEES;

36 (III) INCREASING THE NUMBER OF EMPLOYEES REQUIRED TO
37 WORK DURING PARTICULAR TIMES; AND

38 (IV) MODIFYING THE BUSINESS HOURS OF THE ESTABLISHMENT.

39 (4) WITHIN 30 DAYS AFTER RECEIVING THE DEPARTMENT'S WRITTEN
40 RECOMMENDATIONS, AN ESTABLISHMENT SHALL IMPLEMENT FULLY THE
41 RECOMMENDATIONS.

3

1 (E) (1) AN ESTABLISHMENT THAT FAILS TO IMPLEMENT FULLY THE
2 RECOMMENDATIONS OF THE DEPARTMENT AS REQUIRED BY THIS SECTION IS
3 SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$5,000.

4 (2) ALL FINES COLLECTED UNDER THIS SUBSECTION SHALL BE
5 DEPOSITED IN THE ROBBERY PREVENTION FUND.

6 (F) (1) THE DEPARTMENT SHALL ESTABLISH A GRANTS PROGRAM FOR
7 ROBBERY PREVENTION FOR COMMERCIAL ESTABLISHMENTS.

8 (2) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT
9 THE GRANTS PROGRAM ESTABLISHED UNDER THIS SUBSECTION.

10 (G) (1) THERE IS A ROBBERY PREVENTION FUND.

11 (2) THE FUND IS A SPECIAL CONTINUING FUND WHICH IS SUBJECT TO §
12 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

13 (3) THE TREASURER SHALL SEPARATELY HOLD AND THE
14 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

15 (4) THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME
16 MANNER AS OTHER STATE FUNDS.

17 (5) ANY INVESTMENT EARNINGS SHALL BE RETAINED TO THE CREDIT
18 OF THE FUND.

19 (6) THE COMPTROLLER SHALL PAY OUT MONEY FROM THE FUND AS
20 DIRECTED BY THE DEPARTMENT OR AS APPROVED IN THE STATE BUDGET.

21 (7) THE FUND SHALL BE SUBJECT TO AN AUDIT BY THE OFFICE OF
22 LEGISLATIVE AUDITS AS PROVIDED FOR IN § 2-1215 OF THE STATE GOVERNMENT
23 ARTICLE.

24 (8) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR A
25 GRANTS PROGRAM FOR ROBBERY PREVENTION BY PROVIDING COMMERCIAL
26 ESTABLISHMENTS WITH FUNDS TO INCREASE SECURITY AND IMPROVE EMPLOYEE
27 SAFETY.

28 (9) ADMINISTRATIVE EXPENDITURES UNDER THIS SECTION SHALL
29 ONLY BE MADE PURSUANT TO AN APPROPRIATION APPROVED BY THE GENERAL
30 ASSEMBLY IN THE ANNUAL STATE BUDGET PRIOR TO THE EXPENDITURE OR
31 OBLIGATION OF FUNDS.

32 (10) THE DEPARTMENT SHALL ADMINISTER THE FUND.

33 (11) THE FUND SHALL CONSIST OF ANY MONEY GIVEN TO THE FUND BY
34 PUBLIC OR PRIVATE SOURCES.

35 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of State
36 Police shall report to the General Assembly on or before December 31, 1998, and by each
37 December 31 thereafter, in accordance with § 2-1312 of the State Government Article, on
38 the implementation of this Act, including:

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1 (1) A comparison between the 100 establishments selected to undertake
2 additional security measures and the other 100 establishments where no additional
3 security measures were required; and

4 (2) The amount of money collected and disbursed by the Robbery
5 Prevention Fund, and the purposes for which the money was disbursed.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 1997.