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By: **Delegates Rosenberg, Franchot, and Cadden**

Introduced and read first time: February 11, 1999

Assigned to: Judiciary

Reassigned: Appropriations, February 18, 1999

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 27, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Crime Prevention - Maryland Drug and Alcohol Grants Program Fund**

3 FOR the purpose of establishing the Maryland Drug and Alcohol Grants Program  
4 Fund; specifying that the Fund shall provide money for grants for certain  
5 neighborhood crime prevention, drug abuse, and alcohol abuse programs;  
6 establishing the Fund as a special nonlapsing fund; establishing a funding  
7 mechanism for the Fund; establishing procedures for holding moneys in the  
8 Fund and accounting for the Fund; requiring that administrative expenditures  
9 and disbursements be made only under certain conditions; allowing grant  
10 recipients to expend grant money beyond a certain period under certain  
11 circumstances; requiring the Governor's Office of Crime Control and Prevention  
12 to administer the Fund; requiring the Governor's Office of Crime Control and  
13 Prevention to allocate a certain percentage of the grants under this Act to  
14 certain regional programs under certain circumstances; requiring a certain  
15 report; defining a certain term; and generally relating to the Maryland Drug  
16 and Alcohol Grants Program Fund.

17 BY adding to  
18 Article 27 - Crimes and Punishments  
19 Section 297D  
20 Annotated Code of Maryland  
21 (1996 Replacement Volume and 1998 Supplement)

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

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**Article 27 - Crimes and Punishments**

2 297D.

3 (A) IN THIS SECTION, "FUND" MEANS THE MARYLAND DRUG AND ALCOHOL  
4 GRANTS PROGRAM FUND.

5 (B) (1) THERE IS A MARYLAND DRUG AND ALCOHOL GRANTS PROGRAM  
6 FUND.

7 (2) THE FUND IS A SPECIAL NONLAPSING FUND THAT IS NOT SUBJECT  
8 TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

9 (3) ~~THE FUND CONSISTS~~ SHALL CONSIST OF MONEY GIVEN TO THE  
10 ~~FUND BY PUBLIC OR PRIVATE SOURCES~~ MONEYS APPROPRIATED IN THE STATE  
11 BUDGET TO THE FUND, ALL EARNINGS FROM INVESTMENT OF MONEYS IN THE  
12 FUND, AND ANY OTHER MONEYS ACCEPTED FOR THE BENEFIT OF THE FUND FROM  
13 ANY GOVERNMENTAL OR PRIVATE SOURCE.

14 (4) (I) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY.

15 (II) THE STATE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

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

18 ~~(6) ANY INVESTMENT EARNINGS SHALL BE RETAINED TO THE CREDIT~~  
19 ~~OF THE FUND.~~

20 ~~(7)~~ (6) THE COMPTROLLER SHALL PAY OUT MONEY FROM THE FUND  
21 AS DIRECTED BY THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION OR  
22 AS APPROVED IN THE STATE BUDGET.

23 ~~(8)~~ (7) THE FUND IS SUBJECT TO AN AUDIT BY THE OFFICE OF  
24 LEGISLATIVE AUDITS AS PROVIDED FOR IN § 2-1220 OF THE STATE GOVERNMENT  
25 ARTICLE.

26 (C) THE PURPOSE OF THE FUND IS TO PROVIDE GRANT MONEY FOR  
27 NEIGHBORHOOD CRIME PREVENTION PROGRAMS AND DRUG AND ALCOHOL ABUSE  
28 EDUCATION, PREVENTION, TREATMENT, ~~ADJUDICATION~~, AND LAW ENFORCEMENT  
29 PROGRAMS AS PROVIDED UNDER § 297C OF THIS SUBHEADING.

30 (D) (1) ADMINISTRATIVE EXPENDITURES UNDER THIS SECTION SHALL BE  
31 MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

32 (2) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION  
33 SHALL ADMINISTER THE FUND IN ACCORDANCE WITH THIS SECTION AND ALL  
34 OTHER APPLICABLE LAW.

35 (3) DISBURSEMENTS FROM THE FUND SHALL SUPPLEMENT AND MAY  
36 NOT SUBSTITUTE FOR MONEY DESIGNATED IN THE STATE BUDGET FOR

1 NEIGHBORHOOD CRIME PREVENTION PROGRAMS AND DRUG AND ALCOHOL ABUSE  
2 EDUCATION, PREVENTION, TREATMENT, ~~ADJUDICATION~~, AND LAW ENFORCEMENT  
3 PROGRAMS.

4 (4) IF THE TERMS OF A GRANT ALLOW, A RECIPIENT MAY EXPEND  
5 GRANT MONEY BEYOND THE FISCAL YEAR IN WHICH THE GRANT IS RECEIVED.

6 (E) (1) THIS SUBSECTION DOES NOT APPLY TO A PROGRAM THAT HAS  
7 RECEIVED FUNDS FROM THE HOTSPOT COMMUNITIES INITIATIVE ADMINISTERED  
8 BY THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.

9 (2) TO THE EXTENT POSSIBLE, THE GOVERNOR'S OFFICE OF CRIME  
10 CONTROL AND PREVENTION SHALL ALLOCATE AT LEAST 10% OF THE GRANTS  
11 PROVIDED FROM THE FUND TO PROGRAMS THAT PROVIDE SERVICES IN TWO OR  
12 MORE COUNTIES OF THE STATE.

13 SECTION 2. AND BE IT FURTHER ENACTED, That on or before October 1 of  
14 each year, the Office of Crime Control and Prevention shall provide a report to the  
15 General Assembly, in accordance with § 2-1246 of the State Government Article, that  
16 lists and describes all programs receiving grants from the Maryland Drug and Alcohol  
17 Grants Program Fund during the preceding fiscal year.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 1999.