

SENATE BILL 716

Unofficial Copy
E4

2000 Regular Session
0lr2523
CF 0lr2525

By: **Senator McFadden (Baltimore City Administration)**

Introduced and read first time: February 4, 2000

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 31, 2000

CHAPTER _____

1 AN ACT concerning

2 **Department of State Police Governor's Office of Crime Control and**
3 **Prevention - Law Enforcement Equipment Fund**

4 FOR the purpose of establishing a Law Enforcement Equipment Fund to assist local
5 law enforcement agencies in acquiring law enforcement equipment needed to
6 address violent crime; defining certain terms; requiring the ~~Secretary Executive~~
7 ~~Director~~ of the ~~State Police~~ Governor's Office of Crime Control and Prevention to
8 establish application procedures and administer the grants; requiring local law
9 enforcement agencies to provide certain statistics and other information to the
10 ~~Secretary Executive Director~~; requiring the ~~Secretary Executive Director~~ to
11 consider certain criteria in determining the amount of the grants; requiring the
12 local law enforcement agencies to submit proof of appropriate expenditure; and
13 generally relating to the Law Enforcement Equipment Fund.

14 BY adding to
15 ~~Article 88B - Department of State Police~~
16 Article 41 - Governor - Executive and Administrative Departments
17 ~~Section 30B 4-101, to be under the new subtitle "Subtitle 1. Law Enforcement~~
18 ~~Equipment Fund"~~
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 1999 Supplement)

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

1 ~~Article 88B—Department of State Police~~2 Article 41 - Governor - Executive and Administrative Departments3 SUBTITLE 1. LAW ENFORCEMENT EQUIPMENT FUND.4 ~~30B- 4-101.~~5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.7 (2) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
8 GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.9 ~~(2)~~ (3) "FUND" MEANS THE LAW ENFORCEMENT EQUIPMENT FUND
10 ESTABLISHED UNDER THIS SECTION.11 ~~(3)~~ (4) "LOCAL LAW ENFORCEMENT AGENCY" MEANS THE AGENCY OF
12 ANY COUNTY OR MUNICIPAL CORPORATION, INCLUDING BALTIMORE CITY, WITHIN
13 THIS STATE THAT PERFORMS POLICE PROTECTION FUNCTIONS.14 ~~(4)~~ (5) "LAW ENFORCEMENT EQUIPMENT" MEANS ANY EQUIPMENT
15 USED FOR LAW ENFORCEMENT PURPOSES INCLUDING ~~VEHICLES~~ BODY ARMOR,
16 CRIME TRACKING TECHNOLOGY, PHOTO IMAGING EQUIPMENT, SURVEILLANCE
17 DEVICES, WEAPONS, AMMUNITION, AND COMMUNICATION DEVICES.18 (B) A LAW ENFORCEMENT EQUIPMENT FUND IS ESTABLISHED TO ASSIST
19 LOCAL LAW ENFORCEMENT AGENCIES IN ACQUIRING LAW ENFORCEMENT
20 EQUIPMENT NEEDED TO ADDRESS VIOLENT CRIME.21 (C) (1) ~~THE SECRETARY~~ EXECUTIVE DIRECTOR SHALL ADMINISTER THE
22 FUND IN ACCORDANCE WITH THIS SECTION AND OTHER APPLICABLE LAW.23 (2) THE FUND SHALL CONSIST OF MONEY APPROPRIATED IN THE STATE
24 BUDGET.25 (3) PAYMENTS OUT OF THE FUND SHALL BE MADE TO A LOCAL LAW
26 ENFORCEMENT AGENCY BY THE STATE TREASURER AS AUTHORIZED BY THE
27 ~~SECRETARY~~ EXECUTIVE DIRECTOR.28 (4) (I) THE FUND IS A CONTINUING, NONLAPSING FUND WHICH IS
29 NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.30 (II) THE TREASURER SHALL SEPARATELY HOLD AND THE
31 COMPTROLLER SHALL ACCOUNT FOR THE FUND IN CONJUNCTION WITH THE
32 EXECUTIVE DIRECTOR.33 (III) THE TREASURER MAY INVEST MONEYS IN THE FUND IN THE
34 SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

1 (D) (1) THE ~~SECRETARY~~ EXECUTIVE DIRECTOR SHALL ESTABLISH
2 APPLICATION PROCEDURES FOR LOCAL LAW ENFORCEMENT AGENCIES TO APPLY
3 FOR AID FROM THE FUND, WITH FUNDING PRIORITY GIVEN TO THOSE
4 JURISDICTIONS WITH THE HIGHEST INCIDENCE OF VIOLENT CRIME.

5 (2) A LOCAL LAW ENFORCEMENT AGENCY APPLYING FOR AID FROM THE
6 FUND SHALL PROVIDE THE FOLLOWING INFORMATION TO THE ~~SECRETARY~~
7 EXECUTIVE DIRECTOR:

8 (I) THE NUMBER OF VIOLENT CRIME INCIDENTS COMMITTED
9 WITHIN THE JURISDICTION OF THE LOCAL LAW ENFORCEMENT AGENCY FOR THE
10 LAST 2 YEARS; AND

11 (II) ANY OTHER INFORMATION THAT THE ~~SECRETARY~~ EXECUTIVE
12 DIRECTOR DEEMS NECESSARY IN MAKING AWARDS FOR LAW ENFORCEMENT
13 EQUIPMENT.

14 (E) THE ~~SECRETARY~~ EXECUTIVE DIRECTOR, TO THE EXTENT PROVIDED IN
15 THE STATE BUDGET, SHALL PROVIDE GRANTS FOR THE PURCHASE OR
16 REPLACEMENT OF LAW ENFORCEMENT EQUIPMENT TO LOCAL LAW ENFORCEMENT
17 AGENCIES BASED UPON THE COMPARATIVE NEEDS OF EACH LOCAL LAW
18 ENFORCEMENT AGENCY AS DETERMINED FROM THE INFORMATION PROVIDED
19 UNDER SUBSECTION (D)(2) OF THIS SECTION.

20 (F) THE AID DISTRIBUTED UNDER THIS SECTION SHALL BE USED TO
21 SUPPLEMENT, NOT SUPPLANT, OTHER LOCAL LAW ENFORCEMENT FUNDING.

22 (G) AFTER A LOCAL LAW ENFORCEMENT AGENCY RECEIVES NOTICE OF A
23 GRANT AWARD FROM THE ~~SECRETARY~~ EXECUTIVE DIRECTOR, THE LOCAL LAW
24 ENFORCEMENT AGENCY MUST SUBMIT PROOF OF EXPENDITURES ON LAW
25 ENFORCEMENT EQUIPMENT TO THE ~~SECRETARY~~ EXECUTIVE DIRECTOR.

26 (H) THE ~~SECRETARY~~ EXECUTIVE DIRECTOR SHALL REPORT ANNUALLY BY
27 SEPTEMBER 1 TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE
28 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, AS TO THE DISTRIBUTION OF
29 AID PROVIDED UNDER THIS SECTION.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2000.