

HOUSE BILL 588

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E4

2001 Regular Session
(11r1073)

ENROLLED BILL

-- Appropriations/Budget and Taxation --

Introduced by **Delegates Marriott, Burns, Cole, C. Davis, Dobson, Doory,
Dypski, Hammen, Harrison, A. Jones, Kirk, Klausmeier, Krysiak,
McHale, Nathan-Pulliam, Paige, Phillips, Ports, and Redmer**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Governor's Office of Crime Control and Prevention - Law Enforcement**
3 **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 Governor to include~~
7 ~~certain funds in the budget;~~ requiring the Executive Director of the Governor's
8 Office of Crime Control and Prevention to establish application procedures and
9 administer the grants; requiring local law enforcement agencies to provide
10 certain statistics and other information to the Executive Director; requiring the
11 Executive Director to consider certain criteria in determining the amount of the
12 grants; requiring the local law enforcement agencies to submit proof of
13 appropriate expenditure; ~~providing for the termination of this Act;~~ and generally
14 relating to the Law Enforcement Equipment Fund.

15 BY adding to

1 Article 41 - Governor - Executive and Administrative Departments
2 Section 4-101 to be under the new subtitle "Subtitle 1. Law Enforcement
3 Equipment Fund"
4 Annotated Code of Maryland
5 (1997 Replacement Volume and 2000 Supplement)

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

8 **Article 41 - Governor - Executive and Administrative Departments**

9 SUBTITLE 1. LAW ENFORCEMENT EQUIPMENT FUND.

10 4-101.

11 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
12 INDICATED.

13 (2) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
14 GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.

15 (3) "FUND" MEANS THE LAW ENFORCEMENT EQUIPMENT FUND
16 ESTABLISHED UNDER THIS SECTION.

17 (4) "LOCAL LAW ENFORCEMENT AGENCY" MEANS THE AGENCY OF ANY
18 COUNTY OR MUNICIPAL CORPORATION ~~OR MUNICIPAL CORPORATION~~, INCLUDING
19 BALTIMORE CITY, WITHIN THIS STATE THAT PERFORMS POLICE PROTECTION
20 FUNCTIONS.

21 (5) "LAW ENFORCEMENT EQUIPMENT" MEANS ANY EQUIPMENT USED
22 FOR LAW ENFORCEMENT PURPOSES INCLUDING BODY ARMOR, CRIME TRACKING
23 TECHNOLOGY, PHOTO IMAGING EQUIPMENT, SURVEILLANCE DEVICES, WEAPONS,
24 AMMUNITION, AND COMMUNICATION DEVICES.

25 (B) A LAW ENFORCEMENT EQUIPMENT FUND IS ESTABLISHED TO ASSIST
26 LOCAL LAW ENFORCEMENT AGENCIES IN ACQUIRING LAW ENFORCEMENT
27 EQUIPMENT NEEDED TO ADDRESS VIOLENT CRIME.

28 (C) (1) THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE FUND IN
29 ACCORDANCE WITH THIS SECTION AND OTHER APPLICABLE LAW.

30 (2) THE FUND SHALL CONSIST OF MONEY APPROPRIATED IN THE STATE
31 BUDGET.

32 ~~(3) THE GOVERNOR SHALL INCLUDE AT LEAST \$2,000,000 IN THE~~
33 ~~BUDGET FOR THE FUND IN EACH FISCAL YEAR.~~

1 ~~(3)~~ ~~(4)~~ (3) PAYMENTS OUT OF THE FUND SHALL BE MADE TO A
2 LOCAL LAW ENFORCEMENT AGENCY BY THE STATE TREASURER AS AUTHORIZED BY
3 THE EXECUTIVE DIRECTOR.

4 ~~(4)~~ ~~(5)~~ (4) (I) THE FUND IS A CONTINUING, NONLAPSING FUND
5 WHICH IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT
6 ARTICLE.

7 (II) THE TREASURER SHALL SEPARATELY HOLD AND THE
8 COMPTROLLER SHALL ACCOUNT FOR THE FUND IN CONJUNCTION WITH THE
9 EXECUTIVE DIRECTOR.

10 (III) THE TREASURER MAY INVEST MONEYS IN THE FUND IN THE
11 SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

12 (D) (1) THE EXECUTIVE DIRECTOR SHALL ESTABLISH APPLICATION
13 PROCEDURES FOR LOCAL LAW ENFORCEMENT AGENCIES TO APPLY FOR AID FROM
14 THE FUND, WITH FUNDING PRIORITY GIVEN TO THOSE JURISDICTIONS WITH THE
15 HIGHEST INCIDENCE OF VIOLENT CRIME.

16 (2) A LOCAL LAW ENFORCEMENT AGENCY APPLYING FOR AID FROM THE
17 FUND SHALL PROVIDE THE FOLLOWING INFORMATION TO THE EXECUTIVE
18 DIRECTOR:

19 (I) THE NUMBER OF VIOLENT CRIME INCIDENTS COMMITTED
20 WITHIN THE JURISDICTION OF THE LOCAL LAW ENFORCEMENT AGENCY FOR THE
21 LAST 2 YEARS; AND

22 (II) ANY OTHER INFORMATION THAT THE EXECUTIVE DIRECTOR
23 DEEMS NECESSARY IN MAKING AWARDS FOR LAW ENFORCEMENT EQUIPMENT.

24 (E) THE EXECUTIVE DIRECTOR, TO THE EXTENT PROVIDED IN THE STATE
25 BUDGET, SHALL PROVIDE GRANTS FOR THE PURCHASE OR REPLACEMENT OF LAW
26 ENFORCEMENT EQUIPMENT TO LOCAL LAW ENFORCEMENT AGENCIES BASED UPON
27 THE COMPARATIVE NEEDS OF EACH LOCAL LAW ENFORCEMENT AGENCY AS
28 DETERMINED FROM THE INFORMATION PROVIDED UNDER SUBSECTION (D)(2) OF
29 THIS SECTION.

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

32 (G) AFTER A LOCAL LAW ENFORCEMENT AGENCY RECEIVES NOTICE OF A
33 GRANT AWARD FROM THE EXECUTIVE DIRECTOR, THE LOCAL LAW ENFORCEMENT
34 AGENCY MUST SUBMIT PROOF OF EXPENDITURES ON LAW ENFORCEMENT
35 EQUIPMENT TO THE EXECUTIVE DIRECTOR.

36 (H) THE EXECUTIVE DIRECTOR SHALL REPORT ANNUALLY BY SEPTEMBER 1
37 TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE
38 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, AS TO THE DISTRIBUTION OF
39 AID PROVIDED UNDER THIS SECTION.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2001. ~~It shall remain effective for a period of 2 years and 9 months and, at~~
3 ~~the end of June 30, 2004, with no further action required by the General Assembly,~~
4 ~~this Act shall be abrogated and of no further force and effect.~~