

HOUSE BILL 588

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E4
HB 917/00 - APP

2001 Regular Session
11r1073
CF 11r1074

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**

Introduced and read first time: February 7, 2001

Assigned to: Judiciary

A BILL ENTITLED

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 Executive Director
7 of the Governor's Office of Crime Control and Prevention to establish
8 application procedures and administer the grants; requiring local law
9 enforcement agencies to provide certain statistics and other information to the
10 Executive Director; requiring the Executive Director to consider certain criteria
11 in determining the amount of the grants; requiring the local law enforcement
12 agencies to submit proof of appropriate expenditure; and generally relating to
13 the Law Enforcement Equipment Fund.

14 BY adding to
15 Article 41 - Governor - Executive and Administrative Departments
16 Section 4-101 to be under the new subtitle "Subtitle 1. Law Enforcement
17 Equipment Fund"
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 2000 Supplement)

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

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

23 **SUBTITLE 1. LAW ENFORCEMENT EQUIPMENT FUND.**

24 4-101.

25 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
26 INDICATED.

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

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

5 (4) "LOCAL LAW ENFORCEMENT AGENCY" MEANS THE AGENCY OF ANY
6 COUNTY OR MUNICIPAL CORPORATION, INCLUDING BALTIMORE CITY, WITHIN THIS
7 STATE THAT PERFORMS POLICE PROTECTION FUNCTIONS.

8 (5) "LAW ENFORCEMENT EQUIPMENT" MEANS ANY EQUIPMENT USED
9 FOR LAW ENFORCEMENT PURPOSES INCLUDING BODY ARMOR, CRIME TRACKING
10 TECHNOLOGY, PHOTO IMAGING EQUIPMENT, SURVEILLANCE DEVICES, WEAPONS,
11 AMMUNITION, AND COMMUNICATION DEVICES.

12 (B) A LAW ENFORCEMENT EQUIPMENT FUND IS ESTABLISHED TO ASSIST
13 LOCAL LAW ENFORCEMENT AGENCIES IN ACQUIRING LAW ENFORCEMENT
14 EQUIPMENT NEEDED TO ADDRESS VIOLENT CRIME.

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

17 (2) THE FUND SHALL CONSIST OF MONEY APPROPRIATED IN THE STATE
18 BUDGET.

19 (3) PAYMENTS OUT OF THE FUND SHALL BE MADE TO A LOCAL LAW
20 ENFORCEMENT AGENCY BY THE STATE TREASURER AS AUTHORIZED BY THE
21 EXECUTIVE DIRECTOR.

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

24 (II) THE TREASURER SHALL SEPARATELY HOLD AND THE
25 COMPTROLLER SHALL ACCOUNT FOR THE FUND IN CONJUNCTION WITH THE
26 EXECUTIVE DIRECTOR.

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

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

33 (2) A LOCAL LAW ENFORCEMENT AGENCY APPLYING FOR AID FROM THE
34 FUND SHALL PROVIDE THE FOLLOWING INFORMATION TO THE EXECUTIVE
35 DIRECTOR:

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

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

6 (E) THE EXECUTIVE DIRECTOR, TO THE EXTENT PROVIDED IN THE STATE
7 BUDGET, SHALL PROVIDE GRANTS FOR THE PURCHASE OR REPLACEMENT OF LAW
8 ENFORCEMENT EQUIPMENT TO LOCAL LAW ENFORCEMENT AGENCIES BASED UPON
9 THE COMPARATIVE NEEDS OF EACH LOCAL LAW ENFORCEMENT AGENCY AS
10 DETERMINED FROM THE INFORMATION PROVIDED UNDER SUBSECTION (D)(2) OF
11 THIS SECTION.

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

14 (G) AFTER A LOCAL LAW ENFORCEMENT AGENCY RECEIVES NOTICE OF A
15 GRANT AWARD FROM THE EXECUTIVE DIRECTOR, THE LOCAL LAW ENFORCEMENT
16 AGENCY MUST SUBMIT PROOF OF EXPENDITURES ON LAW ENFORCEMENT
17 EQUIPMENT TO THE EXECUTIVE DIRECTOR.

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2001.