

HOUSE BILL 588

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HB 917/00 - APP

2001 Regular Session  
11r1073  
CF 11r1074

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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  
Reassigned: Appropriations, February 9, 2001

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 19, 2001

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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  
16 Article 41 - Governor - Executive and Administrative Departments  
17 Section 4-101 to be under the new subtitle "Subtitle 1. Law Enforcement  
18 Equipment Fund"  
19 Annotated Code of Maryland  
20 (1997 Replacement Volume and 2000 Supplement)

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

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

## 2 SUBTITLE 1. LAW ENFORCEMENT EQUIPMENT FUND.

3 4-101.

4 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
5 INDICATED.6 (2) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE  
7 GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.8 (3) "FUND" MEANS THE LAW ENFORCEMENT EQUIPMENT FUND  
9 ESTABLISHED UNDER THIS SECTION.10 (4) "LOCAL LAW ENFORCEMENT AGENCY" MEANS THE AGENCY OF ANY  
11 COUNTY ~~OR MUNICIPAL CORPORATION~~, INCLUDING BALTIMORE CITY, WITHIN THIS  
12 STATE THAT PERFORMS POLICE PROTECTION FUNCTIONS.13 (5) "LAW ENFORCEMENT EQUIPMENT" MEANS ANY EQUIPMENT USED  
14 FOR LAW ENFORCEMENT PURPOSES INCLUDING BODY ARMOR, CRIME TRACKING  
15 TECHNOLOGY, PHOTO IMAGING EQUIPMENT, SURVEILLANCE DEVICES, WEAPONS,  
16 AMMUNITION, AND COMMUNICATION DEVICES.17 (B) A LAW ENFORCEMENT EQUIPMENT FUND IS ESTABLISHED TO ASSIST  
18 LOCAL LAW ENFORCEMENT AGENCIES IN ACQUIRING LAW ENFORCEMENT  
19 EQUIPMENT NEEDED TO ADDRESS VIOLENT CRIME.20 (C) (1) THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE FUND IN  
21 ACCORDANCE WITH THIS SECTION AND OTHER APPLICABLE LAW.22 (2) THE FUND SHALL CONSIST OF MONEY APPROPRIATED IN THE STATE  
23 BUDGET.24 (3) THE GOVERNOR SHALL INCLUDE AT LEAST \$2,000,000 IN THE  
25 BUDGET FOR THE FUND IN EACH FISCAL YEAR.26 ~~(4)~~ (4) PAYMENTS OUT OF THE FUND SHALL BE MADE TO A LOCAL  
27 LAW ENFORCEMENT AGENCY BY THE STATE TREASURER AS AUTHORIZED BY THE  
28 EXECUTIVE DIRECTOR.29 ~~(5)~~ (5) (I) THE FUND IS A CONTINUING, NONLAPSING FUND WHICH  
30 IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.31 (II) THE TREASURER SHALL SEPARATELY HOLD AND THE  
32 COMPTROLLER SHALL ACCOUNT FOR THE FUND IN CONJUNCTION WITH THE  
33 EXECUTIVE DIRECTOR.34 (III) THE TREASURER MAY INVEST MONEYS IN THE FUND IN THE  
35 SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

1 (D) (1) THE EXECUTIVE DIRECTOR SHALL ESTABLISH APPLICATION  
2 PROCEDURES FOR LOCAL LAW ENFORCEMENT AGENCIES TO APPLY FOR AID FROM  
3 THE FUND, WITH FUNDING PRIORITY GIVEN TO THOSE JURISDICTIONS WITH THE  
4 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 EXECUTIVE  
7 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 EXECUTIVE DIRECTOR  
12 DEEMS NECESSARY IN MAKING AWARDS FOR LAW ENFORCEMENT EQUIPMENT.

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

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

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

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

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

