
By: **Chairman, Judicial Proceedings Committee (By Request -
Departmental - Public Safety and Correctional Services)**

Introduced and read first time: January 19, 2005

Rules suspended

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - Protective Body Armor Fund - Additional Use**

3 FOR the purpose of authorizing the Secretary of Public Safety and Correctional
4 Services to distribute under certain circumstances money remaining in the
5 Protective Body Armor Fund to the Division of Parole and Probation to assist
6 the division to acquire protective body armor for its agents; and generally
7 relating to the Protective Body Armor Fund.

8 BY repealing and reenacting, without amendments,
9 Article - Public Safety
10 Section 4-102 and 4-103
11 Annotated Code of Maryland
12 (2003 Volume and 2004 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Public Safety
15 Section 4-104
16 Annotated Code of Maryland
17 (2003 Volume and 2004 Supplement)

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

20 **Article - Public Safety**

21 4-102.

22 (a) There is a Protective Body Armor Fund.

23 (b) The purposes of the Fund are to assist local law enforcement agencies to:

24 (1) acquire protective body armor for each police officer of the local law
25 enforcement agency; and

1 (2) replace protective body armor at least every 10 years, or sooner if
2 testing indicates a need for replacement.

3 (c) The Secretary shall administer the Fund.

4 (d) The Fund consists of money appropriated in the State budget to the Fund.

5 (e) (1) As authorized by the Secretary, the Treasurer shall make payments
6 out of the Fund to local law enforcement agencies.

7 (2) A local law enforcement agency may use State money provided under
8 this subtitle only to purchase or replace protective body armor.

9 4-103.

10 (a) The Secretary shall establish procedures for local law enforcement
11 agencies to apply for money from the Fund.

12 (b) A local law enforcement agency that applies for money from the Fund shall
13 provide the Secretary with the following information:

14 (1) the number of violent crime incidents committed within the
15 jurisdiction of the local law enforcement agency for the last 2 years;

16 (2) the current number of sworn officers;

17 (3) the current number of sworn officers not assigned protective body
18 armor;

19 (4) the number and age of protective body armor units currently in use
20 by the local law enforcement agency;

21 (5) the number of protective body armor units requested:

22 (i) for officers not currently assigned protective body armor; and

23 (ii) for officers assigned protective body armor in need of
24 replacement due to age or wear;

25 (6) the regulations of the local law enforcement agency that relate to the
26 use of protective body armor;

27 (7) the local law enforcement agency's budget request for supplies and
28 equipment for the current and last 2 fiscal years; and

29 (8) any other information that the Secretary considers necessary to make
30 grants for protective body armor.

1 4-104.

2 (a) (1) In accordance with the State budget, the Secretary shall make grants
3 to local law enforcement agencies to purchase and replace protective body armor
4 based on the comparative needs of each local law enforcement agency as determined
5 by the criteria set forth in § 4-103(b) of this subtitle.

6 (2) A single grant may not initially exceed 10% of the total money
7 budgeted in the Fund for any fiscal year.

8 (b) After the initial allocation of money, the Secretary may distribute any
9 money remaining in the Fund on an equitable basis, as determined by the criteria set
10 forth in § 4-103(b) of this subtitle.

11 (C) AFTER THE ALLOCATIONS OF MONEY MADE IN ACCORDANCE WITH
12 SUBSECTIONS (A) AND (B) OF THIS SECTION, THE SECRETARY MAY DISTRIBUTE ANY
13 OF THE MONEY REMAINING IN THE FUND TO THE DIVISION OF PAROLE AND
14 PROBATION TO ASSIST THE DIVISION TO ACQUIRE PROTECTIVE BODY ARMOR FOR
15 ITS AGENTS.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
17 effect July 1, 2005.