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

Introduced and read first time: January 19, 2005

Rules suspended

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 2005

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CHAPTER \_\_\_\_\_

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 the distribution of money  
 5 remaining in the Protective Body Armor Fund to the Division of Parole and  
 6 Probation to assist the division to acquire protective body armor for its agents;  
 7 and generally 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 4-102 and 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:

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**Article - Public Safety**

2 4-102.

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

4 (b) The purposes of the Fund are:

5 (1) to assist local law enforcement agencies to:

6 (1) acquire protective body armor for each police officer of the local  
7 law enforcement agency; and8 (2) replace protective body armor at least every 10 years, or sooner  
9 if testing indicates a need for replacement; AND10 (2) UPON THE FULFILLMENT OF THE PURPOSES SPECIFIED IN  
11 PARAGRAPH (1) OF THIS SUBSECTION, TO ASSIST THE DIVISION OF PAROLE AND  
12 PROBATION OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL  
13 SERVICES TO ACQUIRE PROTECTIVE BODY ARMOR FOR ITS AGENTS WITH THE  
14 REMAINDER OF THE FUNDS.

15 (c) The Secretary shall administer the Fund.

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

17 (e) (1) As authorized by the Secretary, the Treasurer shall make payments  
18 out of the Fund to local law enforcement agencies AND THE DIVISION OF PAROLE AND  
19 PROBATION.20 (2) A local law enforcement agency AND THE DIVISION OF PAROLE AND  
21 PROBATION may use State money provided under this subtitle only to purchase or  
22 replace protective body armor.23 ~~4-103.~~24 ~~(a) The Secretary shall establish procedures for local law enforcement~~  
25 ~~agencies to apply for money from the Fund.~~26 ~~(b) A local law enforcement agency that applies for money from the Fund shall~~  
27 ~~provide the Secretary with the following information:~~28 ~~(1) the number of violent crime incidents committed within the~~  
29 ~~jurisdiction of the local law enforcement agency for the last 2 years;~~30 ~~(2) the current number of sworn officers;~~31 ~~(3) the current number of sworn officers not assigned protective body~~  
32 ~~armor;~~

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

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

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

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

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

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

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

13 4-104.

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

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

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

23       (C)     AFTER THE ALLOCATIONS OF MONEY MADE IN ACCORDANCE WITH  
24 SUBSECTIONS (A) AND (B) OF THIS SECTION, THE SECRETARY MAY DISTRIBUTE ANY  
25 OF THE MONEY REMAINING IN THE FUND TO THE DIVISION OF PAROLE AND  
26 PROBATION TO ASSIST THE DIVISION TO ACQUIRE PROTECTIVE BODY ARMOR FOR  
27 ITS AGENTS.

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

