
By: **Senator Pipkin**

Introduced and read first time: March 2, 2005

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Video Surveillance Camera Deployment Commission and Fund -**
3 **Establishment**

4 FOR the purpose of establishing the Maryland Video Surveillance Camera
5 Deployment Commission; establishing a certain fund to pay for certain costs of
6 the Commission; establishing the purpose, membership, and duties and powers
7 of the Commission; providing certain funding for the Commission; exempting
8 certain facilities from the oversight or regulation of the Commission; and
9 generally relating to the Maryland Video Surveillance Camera Deployment
10 Commission.

11 BY adding to

12 Article - State Government

13 Section 9-2701 through 9-2708, inclusive, to be under the new subtitle "Subtitle

14 27. Maryland Video Surveillance Camera Deployment Commission"

15 Annotated Code of Maryland

16 (2004 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - State Government**

20 **SUBTITLE 27. MARYLAND VIDEO SURVEILLANCE CAMERA DEPLOYMENT**
21 **COMMISSION.**

22 9-2701.

23 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
24 INDICATED.

25 (B) "COMMISSION" MEANS THE MARYLAND VIDEO SURVEILLANCE CAMERA
26 DEPLOYMENT COMMISSION.

1 (C) "FUND" MEANS THE MARYLAND VIDEO SURVEILLANCE CAMERA
2 DEPLOYMENT FUND.

3 (D) "HEARING FEE" MEANS ANY REVENUE RECEIVED BY THE COMMISSION IN
4 THE COURSE OF FULFILLING THE DUTIES ESTABLISHED UNDER THIS SUBTITLE.

5 (E) "POLITICAL SUBDIVISION" INCLUDES ANY COUNTY OR MUNICIPAL
6 CORPORATION.

7 9-2702.

8 THIS SUBTITLE DOES NOT APPLY TO:

9 (1) A CORRECTIONAL FACILITY AS DEFINED § 1-101 OF THE
10 CORRECTIONAL SERVICES ARTICLE; OR

11 (2) A JUVENILE DETENTION, CORRECTION, OR TREATMENT FACILITY
12 UNDER ARTICLE 83C OF THE CODE.

13 9-2703.

14 THERE IS A MARYLAND VIDEO SURVEILLANCE CAMERA DEPLOYMENT
15 COMMISSION WITHIN THE EXECUTIVE DEPARTMENT.

16 9-2704.

17 (A) THERE IS A MARYLAND VIDEO SURVEILLANCE CAMERA DEPLOYMENT
18 FUND.

19 (B) THE PURPOSE OF THE FUND IS TO PAY FOR THE OPERATING COSTS OF
20 THE COMMISSION.

21 9-2705.

22 THE COMMISSION SHALL CONSIST OF THE FOLLOWING MEMBERS:

23 (1) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES,
24 OR THE SECRETARY'S DESIGNEE;

25 (2) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S
26 DESIGNEE;

27 (3) THE SECRETARY OF STATE POLICE, OR THE SECRETARY'S DESIGNEE;

28 (4) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S DESIGNEE;

29 (5) TWO MEMBERS OF THE GENERAL PUBLIC APPOINTED BY THE
30 GOVERNOR;

31 (6) THE DIRECTOR OF THE GOVERNOR'S OFFICE OF HOMELAND
32 SECURITY; AND

1 (7) TWO MEMBERS OF THE STATE BAR ASSOCIATION APPOINTED BY THE
2 PRESIDENT OF THE STATE BAR ASSOCIATION.

3 9-2706.

4 (A) THE GOVERNOR SHALL APPOINT A CHAIRMAN FROM AMONG THE
5 MEMBERS OF THE COMMISSION WHO SHALL SERVE AT THE PLEASURE OF THE
6 GOVERNOR.

7 (B) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COMMISSION IS A
8 QUORUM.

9 (C) (1) DECISIONS BEFORE THE COMMISSION SHALL BE DECIDED BY A
10 MAJORITY VOTE.

11 (2) IN THE EVENT OF A TIE VOTE, THE CHAIRMAN'S VOTE SHALL COUNT
12 AS TWO VOTES.

13 (D) THE COMMISSION SHALL DETERMINE THE TIMES AND PLACES OF ITS
14 MEETINGS.

15 (E) A MEMBER OF THE COMMISSION:

16 (1) IS NOT ENTITLED TO COMPENSATION; BUT

17 (2) IF THE COMMISSION APPROVES, IS ENTITLED TO REIMBURSEMENT
18 FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED
19 BY THE STATE BUDGET.

20 9-2707.

21 THE GOVERNOR'S OFFICE SHALL PROVIDE STAFF TO THE COMMISSION.

22 9-2708.

23 (A) THE PURPOSE OF THE COMMISSION IS TO OVERSEE AND REGULATE THE
24 PLACEMENT OF VIDEO SURVEILLANCE CAMERAS UNDER THE CONTROL OF THE
25 STATE OR A POLITICAL SUBDIVISION IN PUBLIC AREAS OF THE STATE.

26 (B) IN FULFILLING THE PURPOSE STATED IN SUBSECTION (A) OF THIS
27 SECTION, THE COMMISSION:

28 (1) SHALL:

29 (I) HOLD A HEARING ON THE PLACEMENT OF ANY VIDEO
30 SURVEILLANCE CAMERAS UNDER THE CONTROL OF THE STATE OR A POLITICAL
31 SUBDIVISION; AND

32 (II) APPROVE OR DENY THE PLACEMENT OF ANY VIDEO
33 SURVEILLANCE CAMERAS UNDER THE CONTROL OF THE STATE OR A POLITICAL
34 SUBDIVISION; AND

1 (2) MAY:

2 (I) ADOPT ANY REGULATION THE COMMISSION DEEMS
3 NECESSARY TO MANAGE VIDEO SURVEILLANCE CAMERAS UNDER THE CONTROL OF
4 THE STATE OR A POLITICAL SUBDIVISION;

5 (II) INVENTORY EXISTING VIDEO SURVEILLANCE CAMERAS UNDER
6 THE CONTROL OF THE STATE OR A POLITICAL SUBDIVISION; AND

7 (III) STUDY THE RELATIONSHIP BETWEEN VIDEO SURVEILLANCE
8 CAMERAS AND THE NEEDS OF THE STATE.

9 (C) THIS SUBTITLE MAY NOT BE CONSTRUED TO AUTHORIZE THE
10 COMMISSION TO REMOVE OR ALTER ANY VIDEO SURVEILLANCE CAMERAS
11 INSTALLED OR OTHERWISE PLACED AS OF OCTOBER 1, 2005.

12 (D) (1) THE COMMISSION MAY ESTABLISH A FEE TO BE PAID BY AN AGENCY
13 OF THE STATE WHENEVER A HEARING ON THE PLACEMENT OF VIDEO
14 SURVEILLANCE CAMERAS IS CONDUCTED.

15 (2) REVENUE GENERATED BY THE FEE IMPOSED UNDER PARAGRAPH (1)
16 OF THIS SUBSECTION SHALL BE DEPOSITED INTO THE FUND AND USED FOR THE
17 PURPOSE ESTABLISHED IN § 9-2703(B) OF THIS SUBTITLE.

18 (3) THE BALANCE OF ANY UNUSED PORTION OF THE REVENUE
19 GENERATED BY THE FEE IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION
20 SHALL REVERT TO THE FUND.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2005.