
By: **Senators Lawlah, Colburn, Currie, Exum, Giannetti, Green, and Pinsky**
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Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
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CHAPTER _____

1 AN ACT concerning

2 **State Aid for Police Protection - Supplemental Grants**

3 FOR the purpose of requiring a supplemental grant for police protection to be paid
4 from the State to each subdivision that borders ~~another state or~~ the District of
5 Columbia; and generally relating to supplemental grants from the State for
6 police protection.

7 BY repealing and reenacting, with amendments,
8 Article 41 - Governor - Executive and Administrative Departments
9 Section 4-403
10 Annotated Code of Maryland
11 (2003 Replacement Volume and 2005 Supplement)

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

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

15 4-403.

16 (a) As used in this subtitle:

17 (1) "Subdivision" means any county of Maryland but does not include
18 Baltimore City; or where the context requires, the governing body thereof.

19 (2) "Municipality" means any incorporated city or town, except
20 Baltimore City, within Maryland; or where the context requires, the governing body
21 thereof.

1 (3) "Expenditures for police protection" shall be those for the fiscal year
2 immediately preceding the fiscal year for which the calculation of State aid is to be
3 made. Thus, State aid for the first year of this grant (1968-1969) shall be based on
4 "expenditures for police protection" in the fiscal year ending June 30, 1968; State aid
5 for the second year of this grant (1969-1970) shall be based on expenditures in the
6 fiscal year ending June 30, 1969, and so forth. "Expenditures for police protection"
7 means salaries and wages, other operating expenses, capital outlays from current
8 operating funds, and properly identifiable debt service, paid for police protection.
9 Expenditures for sheriffs and constables are included only to the extent that such
10 officers perform police protection functions. Expenditures for traffic control, park
11 police, and a share of the cost of a central alarm system proportionate to its police use,
12 are included. No part of expenditures for collecting from or servicing parking meters,
13 nor of constructing or operating jails, is included.

14 (4) "Adjusted assessed valuation of real property" means 100% of the
15 assessed valuation of the operating real property of public utilities, plus 40% of the
16 assessed valuation of all other real property for State purposes, as reported by the
17 State Department of Assessments and Taxation as of July 1 of the second fiscal year
18 preceding the fiscal year for which the calculation of State aid is to be made, plus 20%
19 of new property assessed between July 1 and December 31 of the second preceding
20 fiscal year. "Real property" means all property classified as real property under §
21 8-101(b) of the Tax - Property Article.

22 (5) "Net taxable income" shall be the taxable income of individuals under
23 Title 10 of the Tax - General Article, as certified by the Comptroller of the Treasury
24 for the third completed calendar year preceding the fiscal year for which the
25 calculation of State aid is to be made. Thus, State aid for the first year of this grant
26 shall be based on taxable income in calendar year 1965, and State aid in succeeding
27 years on taxable income in corresponding succeeding calendar years.

28 (6) Population figures for total number of people in a subdivision, i.e.
29 figures used in per capita and density determinations, shall be those estimated by the
30 State Department of Health and Mental Hygiene, as of July 1 of each year.
31 Percentage of population residing in municipalities shall be determined from time to
32 time by the most recently published federal decennial census data.

33 (7) "Qualifying municipality" means a municipality:

34 (i) 1. Whose "expenditures for police protection", as defined
35 above, exceed \$5,000; and

36 2. That employs at least one qualified full-time police officer,
37 as determined by the Secretary of State Police; or

38 (ii) 1. Whose "expenditures for police protection", as defined
39 above, exceed \$80,000; and

40 2. That employs at least two qualified part-time police
41 officers, as determined by the Secretary of State Police, from a county police
42 department or county sheriff's department.

1 (8) "Wealth base" of a subdivision means the sum of the "adjusted
2 assessed valuation of real property" and "net taxable income".

3 (9) "Aggregate expenditures for police protection" for a subdivision
4 means the sum of "expenditures for police protection", as defined above, of that
5 subdivision and of every qualifying municipality in that subdivision.

6 (10) "Equivalent of X dollars per capita" means an amount of money equal
7 to the product of X times the number of people in the particular subdivision.

8 (12) "Sworn officer" means:

9 (i) A law enforcement officer certified by the Police Training
10 Commission; or

11 (ii) A full-time probationary employee of a local government who:

12 1. Is hired to attend a police training academy to become a
13 certified law enforcement officer; and

14 2. Is in training or is functioning as a law enforcement officer
15 pending training.

16 (b) Subject to subsection (d) of this section, for the fiscal year beginning July 1,
17 2004, and thereafter, the State shall pay to each subdivision, and to each qualifying
18 municipality, each year in the manner and subject to the limitations and
19 requirements hereinafter provided, an amount determined as follows:

20 (1) Share in Basic Expenditure. If the aggregate expenditures for police
21 protection in a subdivision equal or exceed \$6.00 per capita, the State shall pay to the
22 subdivision the amount, if any, by which the equivalent of \$6.00 per capita exceeds
23 0.09% of the wealth base. If the aggregate expenditures for police protection in a
24 subdivision are less than \$6.00 per capita, the State shall pay to the subdivision the
25 amount, if any, by which aggregate expenditures for police protection exceed that
26 proportion of 0.09 percent of the wealth base which aggregate expenditures for police
27 protection bear to the equivalent of \$6.00 per capita.

28 (2) Share Over the Basic Expenditure. In addition to the amount, if any,
29 payable under paragraph (1) of this subsection, the State shall pay to each
30 subdivision an amount equal to 25% of the amount, if any, by which aggregate
31 expenditures for police protection exceed the equivalent of \$6.00 per capita. Provided
32 however:

33 (i) For subdivisions with a population density less than 100 per
34 square mile, and less than 30% of total population residing in municipalities, there
35 shall be no payment under this paragraph.

36 (ii) For subdivisions with population density 100 or more but less
37 than 500 per square mile, and for subdivisions with population density less than 100

1 per square mile but with 30% or more of total population residing in municipalities,
2 payment under this paragraph shall not exceed the equivalent of \$3.50 per capita.

3 (iii) For subdivisions with population density 500 or more but less
4 than 900 per square mile, payment under this paragraph shall not exceed the
5 equivalent of \$7.50 per capita.

6 (iv) For subdivisions with population density 900 or more but less
7 than 1,100 per square mile, payment under this paragraph shall not exceed the
8 equivalent of \$8.00 per capita.

9 (v) For subdivisions with population density 1,100 or more but less
10 than 1,300 per square mile, payment under this paragraph shall not exceed the
11 equivalent of \$9.25 per capita.

12 (vi) For subdivisions with population density 1,300 or more but less
13 than 8,000 per square mile, payment under this paragraph shall be 25% of the
14 amount by which aggregate expenditures for police protection exceed the equivalent
15 of \$6.00 per capita but do not exceed the equivalent of \$36.00 per capita and 50% of
16 the amount by which aggregate expenditures for police protection exceed the
17 equivalent of \$36.00 per capita but do not exceed the equivalent of \$45.50 per capita.

18 (vii) For subdivisions with population density 8,000 or more per
19 square mile, payment under this paragraph shall be 25% of the amount by which
20 aggregate expenditures for police protection exceed the equivalent of \$6.00 per capita
21 but do not exceed the equivalent of \$36.00 per capita and 50% of the amount by which
22 aggregate expenditures for police protection exceed the equivalent of \$36.00 per
23 capita but do not exceed the equivalent of \$101.50 per capita.

24 (3) Minimum Grant. The State shall pay to each subdivision the amount,
25 if any, by which the equivalent of \$2.50 per capita exceeds the total payments
26 determined under paragraphs (1) and (2) of this subsection. No subdivision for which
27 the population estimate is less than the population estimated for the first year of this
28 grant shall receive in any year a smaller amount of State aid for police protection
29 than it received in any previous year, provided it has not reduced the level of
30 expenditure for police protection which entitled it to the amount of that previous
31 year's grant.

32 (4) Incentive Grant. In addition to the payments made under paragraphs
33 (1), (2), and (3) of this subsection, the State shall pay to each subdivision with a
34 population density of less than 500 per square mile, an amount the equivalent of
35 \$2.00 per capita.

36 (5) Supplemental Grant.

37 (i) In addition to the payments made under paragraphs (1), (2), (3)
38 and (4) of this subsection, the State shall pay:

39 1. To each subdivision, subject to subparagraph (ii) of this
40 paragraph, an amount the equivalent of \$2.50 per capita; [and]

1 the State that is attributable to the wealth base of the subdivision or Baltimore City
2 by 20% of the costs for the crime laboratory of the State Police as provided in the State
3 budget for the fiscal year of the assessment.

4 (2) For the fiscal year beginning July 1, 2004, and for each fiscal year
5 thereafter, the amount determined under subsection (b) of this section for each
6 subdivision or Baltimore City shall be reduced by the sum of the crime assessment
7 and the wealth assessment for the subdivision or Baltimore City.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2006.