

Department of Legislative Services
 Maryland General Assembly
 2006 Session

FISCAL AND POLICY NOTE

Senate Bill 790 (Senator Pipkin)
 Judicial Proceedings

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

This bill establishes the Maryland Video Surveillance Camera Deployment Commission and the Maryland Video Surveillance Camera Deployment Fund. The Governor’s Office must provide staff for the commission.

The bill may not be construed to authorize the commission to remove or alter video surveillance cameras installed or otherwise placed before the bill’s October 1, 2006 effective date.

Fiscal Summary

State Effect: Special fund expenditures would increase by \$47,300 in FY 2007, which includes costs for one employee to staff the commission. Future year estimates reflect annual salary increases and inflation. Potential increase in general and special fund expenditures for several State agencies if hearing fees are imposed. Special fund revenues would increase if a fee is imposed on State agencies for hearings on video camera placement. The actual impact depends on the amount of the fee and the number of hearings held.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
SF Revenue	-	-	-	-	-
GF Expenditure	-	-	-	-	-
SF Expenditure	47,300	58,800	62,200	65,900	69,900
Net Effect	(\$47,300)	(\$58,800)	(\$62,200)	(\$65,900)	(\$69,900)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Potential significant operational effect on local government and local law enforcement.

Small Business Effect: None.

Analysis

Bill Summary: The stated purpose of the commission is to oversee and regulate the placement of video surveillance cameras under the control of the State or a political subdivision in public areas of the State.

The commission must: (1) hold hearings on the placement of any video surveillance cameras; and (2) approve or deny the placement of video surveillance cameras.

The commission may: (1) adopt regulations necessary to manage video surveillance cameras; (2) take an inventory of the existing video surveillance cameras; and (3) study the relationship between video surveillance cameras and the needs of the State.

The commission may establish a fee to be paid by a State agency whenever a hearing on the placement of video surveillance cameras is held. Revenue generated by the fee must be deposited into the fund used to pay for the operating costs of the commission. The balance of any unused portion of the revenue generated by the fee must revert to the fund.

State correctional facilities and juvenile detention, treatment, and corrections facilities are not covered under the bill.

Current Law: No applicable statutory provisions.

State Fiscal Effect: Special fund expenditures could increase by an estimated \$41,692 in fiscal 2007, which accounts for the bill's October 1, 2006 effective date. This estimate reflects the cost of hiring one full-time employee to staff the commission and includes salaries and fringe benefits. The Governor's Office advises that additional employees may be necessary to implement the requirements of the bill if the commission must hold a significant number of hearings or perform significant other duties. Future year expenditures reflect full salaries with 4.6% annual increases and 3% employee turnover.

Maryland Video Surveillance Camera Deployment Fund special fund revenues would increase due to the fee imposed on State agencies requesting to place video surveillance cameras in public areas. It is unknown if any revenues generated by any fee that may be imposed will be sufficient to offset expenditures.

As discussed below, several State agencies utilize video surveillance for investigative, security, and crime prevention purposes. General and special fund expenditures for these

agencies could increase due to the imposition of the fee for hearings before the Maryland Video Surveillance Camera Deployment Commission. The actual effect depends on the amount of the fee and the number of hearings that will be required.

Department of State Police

The Department of State Police Technical Surveillance Unit places 15 to 45 cameras per year, including pole and vehicular cameras, throughout the State for investigative purposes. Other units also use video camera surveillance during the course of investigations. The State Police estimate that the number of camera surveillance operations during the course of a year could easily surpass 100.

The State Police advise that the required hearings could result in the disclosure of sensitive information relating to ongoing investigations, which could compromise both the investigations and the safety of officers. It further advises that many investigations require the placement of cameras on short notice, which would not be possible if a hearing is required.

Department of Natural Resources (DNR)

The Maryland Park Service utilizes video surveillance cameras in public areas under its management to provide security and crime deterrence. The Natural Resources Police also utilize video surveillance cameras for investigative and enforcement purposes. DNR advises that the requirement for a hearing and prior approval for use of cameras for law enforcement purposes would have a negative operational impact on these activities.

Based on the most current available information, the Park Service may install as many as 10 additional cameras in any given year.

Maryland Department of Transportation

Last year, the Maryland Transportation Authority (MdTA) advised that it could have as many as 466 cameras in operation by October 1, 2005. MdTA uses cameras for traffic control, law enforcement, building surveillance, and toll enforcement. About 750 to 1,100 additional cameras were proposed or under study in 2005.

The Maryland Aviation Administration (MAA) uses closed circuit television cameras within the Baltimore-Washington International Airport for security purposes. The inability of MAA to place surveillance cameras within the airport may also affect the agency's ability to request federal funding due to requirements of the Federal Aviation Administration and the Transportation Security Administration.

Local Fiscal Effect: Although the hearing fees do not apply to political subdivisions, local governments may experience an operational effect due to the requirement that all video surveillance cameras be approved prior to use. Local law enforcement agencies that currently utilize video surveillance for investigative and crime prevention purposes may experience operational effects similar to those of State agencies based on the requirement that hearings be held prior to placement of video surveillance cameras.

Baltimore City advises that it has an extensive network of cameras that monitor both the downtown commercial district as well as areas of the city that have a higher incidence of crime. The city advises that requiring the prior approval of the commission for future placement of surveillance cameras would have a negative operational effect on the Baltimore City Police Department.

The Montgomery County Department of Public Works and Transportation (DPWT) has over 150 surveillance cameras in service and expects to have over 220 within the next few years. DPWT currently coordinates the locations of these cameras with the State Highway Administration. DPWT advises that the potential costs associated with obtaining commission approval would likely cause it to reduce the number of cameras it installs in any budget year.

Additional Information

Prior Introductions: SB 981 of 2005, an identical bill, received a hearing in the Senate Judicial Proceedings Committee, but was later withdrawn.

Cross File: None.

Information Source(s): Washington County, Montgomery County, Department of Natural Resources, Governor's Office, Department of State Police, Maryland Department of Transportation, Baltimore City, Department of Legislative Services

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