

# SENATE BILL 139

E4  
SB 790/06 – JPR

71r0740

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By: **Senator Pipkin**

Introduced and read first time: January 24, 2007

Assigned to: Judicial Proceedings

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## 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 and 2006 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**Article – State Government**

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

**9-2701.**

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

(B) “COMMISSION” MEANS THE MARYLAND VIDEO SURVEILLANCE  
CAMERA DEPLOYMENT COMMISSION.

(C) “FUND” MEANS THE MARYLAND VIDEO SURVEILLANCE CAMERA  
DEPLOYMENT FUND.

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

(E) “POLITICAL SUBDIVISION” INCLUDES ANY COUNTY OR MUNICIPAL  
CORPORATION.

**9-2702.**

**THIS SUBTITLE DOES NOT APPLY TO:**

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

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

**9-2703.**

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

**9-2704.**

1           (A)   THERE IS A MARYLAND VIDEO SURVEILLANCE CAMERA  
2   DEPLOYMENT FUND.

3           (B)   THE PURPOSE OF THE FUND IS TO PAY FOR THE OPERATING COSTS  
4   OF THE COMMISSION.

5   **9-2705.**

6           THE COMMISSION SHALL CONSIST OF THE FOLLOWING MEMBERS:

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

9                   (2)   THE SECRETARY OF GENERAL SERVICES, OR THE  
10   SECRETARY'S DESIGNEE;

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

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

15                  (5)   TWO MEMBERS OF THE GENERAL PUBLIC APPOINTED BY THE  
16   GOVERNOR;

17                  (6)   THE DIRECTOR OF THE GOVERNOR'S OFFICE OF HOMELAND  
18   SECURITY; AND

19                  (7)   TWO MEMBERS OF THE STATE BAR ASSOCIATION APPOINTED  
20   BY THE PRESIDENT OF THE STATE BAR ASSOCIATION.

21   **9-2706.**

22           (A)   THE GOVERNOR SHALL APPOINT A CHAIRMAN FROM AMONG THE  
23   MEMBERS OF THE COMMISSION WHO SHALL SERVE AT THE PLEASURE OF THE  
24   GOVERNOR.

25           (B)   A MAJORITY OF THE MEMBERS THEN SERVING ON THE COMMISSION  
26   IS A QUORUM.

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

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

5           (D)   THE COMMISSION SHALL DETERMINE THE TIMES AND PLACES OF  
6 ITS MEETINGS.

7           (E)   A MEMBER OF THE COMMISSION:

8                   (1)   IS NOT ENTITLED TO COMPENSATION; BUT

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

12 **9-2707.**

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

14 **9-2708.**

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

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

20                   (1)   SHALL:

21                           (I)   HOLD A HEARING ON THE PLACEMENT OF ANY VIDEO  
22 SURVEILLANCE CAMERAS UNDER THE CONTROL OF THE STATE OR A POLITICAL  
23 SUBDIVISION; AND

1                   (II) APPROVE OR DENY THE PLACEMENT OF ANY VIDEO  
2 SURVEILLANCE CAMERAS UNDER THE CONTROL OF THE STATE OR A POLITICAL  
3 SUBDIVISION; AND

4                   (2) MAY:

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

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

10                  (III) STUDY THE RELATIONSHIP BETWEEN VIDEO  
11 SURVEILLANCE CAMERAS AND THE NEEDS OF THE STATE.

12                  (C) THIS SUBTITLE MAY NOT BE CONSTRUED TO AUTHORIZE THE  
13 COMMISSION TO REMOVE OR ALTER ANY VIDEO SURVEILLANCE CAMERAS  
14 INSTALLED OR OTHERWISE PLACED AS OF OCTOBER 1, 2007.

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

18                   (2) REVENUE GENERATED BY THE FEE IMPOSED UNDER  
19 PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DEPOSITED INTO THE FUND  
20 AND USED FOR THE PURPOSE ESTABLISHED IN § 9-2704(B) OF THIS SUBTITLE.

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

24                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2007.