

SENATE BILL 589

E4

71r1161

By: **Senators Garagiola, Colburn, Conway, Currie, DeGrange, Dyson, Jacobs, Munson, and Rosapepe**

Introduced and read first time: February 2, 2007

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **First Responders Fund**

3 FOR the purpose of establishing the First Responders Fund; establishing that the
4 purpose of the Fund is to provide grants to counties and municipal corporations
5 to pay for equipment and personnel for fire, rescue, and emergency medical
6 services entities and local law enforcement agencies; requiring the Director of
7 the Maryland Emergency Management Agency to administer the Fund;
8 establishing the composition of the Fund; limiting the uses of the Fund;
9 providing for investment of money in the Fund; establishing a certain intent of
10 the Fund; authorizing the Director to make grants from the Fund to counties or
11 municipal corporations to be used for fire, rescue, and emergency medical
12 services entities and local law enforcement agencies in the county or municipal
13 corporation; establishing that grants from the Fund may be used for certain
14 purposes; requiring the Director to establish certain procedures and guidelines;
15 establishing that grants are for a certain duration and require certain matching
16 funds; prohibiting a county or municipal corporation from reducing money to
17 fire, rescue, and emergency medical services entities or local law enforcement
18 agencies because of money provided from the Fund; requiring a county or
19 municipal corporation that receives a grant to use the grant in accordance with
20 certain terms and comply with certain requirements; and generally relating to
21 funding for first responders.

22 BY adding to

23 Article – Public Safety

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 4–401 through 4–403 to be under the new subtitle “Subtitle 4. First
2 Responders Fund”
3 Annotated Code of Maryland
4 (2003 Volume and 2006 Supplement)

5 BY repealing and reenacting, without amendments,
6 Article – Public Safety
7 Section 7–101(b)
8 Annotated Code of Maryland
9 (2003 Volume and 2006 Supplement)

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

12 **Article – Public Safety**

13 **SUBTITLE 4. FIRST RESPONDERS FUND.**

14 **4–401.**

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

17 (B) “DIRECTOR” MEANS THE DIRECTOR OF THE MARYLAND
18 EMERGENCY MANAGEMENT AGENCY.

19 (C) “FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY” HAS
20 THE MEANING STATED IN § 7–101 OF THIS ARTICLE.

21 (D) “FUND” MEANS THE FIRST RESPONDERS FUND.

22 (E) “LOCAL LAW ENFORCEMENT AGENCY” MEANS THE POLICE
23 DEPARTMENT OF A COUNTY OR MUNICIPAL CORPORATION IN THE STATE.

24 **4–402.**

25 (A) THERE IS A FIRST RESPONDERS FUND.

26 (B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO COUNTIES
27 AND MUNICIPAL CORPORATIONS TO PAY FOR EQUIPMENT AND PERSONNEL FOR

1 **FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITIES AND LOCAL LAW**
2 **ENFORCEMENT AGENCIES.**

3 **(C) THE DIRECTOR SHALL ADMINISTER THE FUND.**

4 **(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
5 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

6 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY**
7 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

8 **(E) THE FUND CONSISTS OF:**

9 **(1) REVENUE DISTRIBUTED TO THE FUND UNDER THE**
10 **TRANSPORTATION ARTICLE;**

11 **(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

12 **(3) ANY INVESTMENT EARNINGS OF THE FUND; AND**

13 **(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
14 **THE BENEFIT OF THE FUND.**

15 **(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
16 **SUBSECTION, THE FUND MAY BE USED ONLY TO PAY FOR GRANTS TO COUNTIES**
17 **OR MUNICIPAL CORPORATIONS MADE UNDER THIS SUBTITLE.**

18 **(2) THE MARYLAND EMERGENCY MANAGEMENT AGENCY MAY**
19 **USE AN AMOUNT NOT TO EXCEED \$100,000 IN A FISCAL YEAR TO ADMINISTER**
20 **THE FUND.**

21 **(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE**
22 **FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

23 **(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID**
24 **INTO THE FUND.**

25 **(H) MONEY EXPENDED FROM THE FUND FOR EXPENSES OF FIRE,**
26 **RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITIES AND LOCAL LAW**

1 ENFORCEMENT AGENCIES IS SUPPLEMENTAL TO AND IS NOT INTENDED TO
2 TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED
3 FOR EXPENSES OF THE COUNTY OR MUNICIPAL CORPORATION.

4 **4-403.**

5 (A) THE DIRECTOR MAY MAKE GRANTS FROM THE FUND TO COUNTIES
6 OR MUNICIPAL CORPORATIONS TO BE USED FOR FIRE, RESCUE, OR EMERGENCY
7 MEDICAL SERVICES ENTITIES AND LOCAL LAW ENFORCEMENT AGENCIES IN THE
8 COUNTY OR MUNICIPAL CORPORATION.

9 (B) (1) GRANTS FROM THE FUND MAY BE USED:

10 (I) TO PURCHASE, REPLACE, OR IMPROVE EQUIPMENT OR
11 FACILITIES FOR FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITIES
12 AND LOCAL LAW ENFORCEMENT AGENCIES; OR

13 (II) TO HIRE ADDITIONAL PERSONNEL FOR FIRE, RESCUE,
14 OR EMERGENCY MEDICAL SERVICES ENTITIES AND LOCAL LAW ENFORCEMENT
15 AGENCIES.

16 (2) GRANTS FROM THE FUND MAY NOT BE USED TO PAY THE
17 SALARIES OF EXISTING PERSONNEL.

18 (C) THE DIRECTOR SHALL ESTABLISH:

19 (1) PROCEDURES FOR COUNTIES OR MUNICIPAL CORPORATIONS
20 TO APPLY FOR GRANTS FROM THE FUND ON BEHALF OF FIRE, RESCUE, OR
21 EMERGENCY MEDICAL SERVICES ENTITIES AND LOCAL LAW ENFORCEMENT
22 AGENCIES; AND

23 (2) GUIDELINES FOR THE USE OF MONEY RECEIVED FROM THE
24 FUND CONSISTENT WITH THIS SUBTITLE.

25 (D) (1) (I) THIS PARAGRAPH APPLIES TO GRANTS MADE UNDER
26 SUBSECTION (B)(1)(I) OF THIS SECTION.

27 (II) A COUNTY OR MUNICIPAL CORPORATION MAY RECEIVE
28 MONEY FROM THE FUND IN THE FORM OF A 1-YEAR GRANT.

1 (III) A COUNTY OR MUNICIPAL CORPORATION RECEIVING
2 MONEY FROM THE FUND SHALL PROVIDE MATCHING FUNDS IN AN AMOUNT
3 EQUAL TO AT LEAST 50% OF THE AMOUNT OF THE GRANT.

4 (2) (I) THIS PARAGRAPH APPLIES TO GRANTS MADE UNDER
5 SUBSECTION (B)(1)(II) OF THIS SECTION.

6 (II) A COUNTY OR MUNICIPAL CORPORATION MAY RECEIVE
7 MONEY FROM THE FUND IN THE FORM OF A 3-YEAR GRANT.

8 (III) A COUNTY OR MUNICIPAL CORPORATION RECEIVING
9 MONEY FROM THE FUND SHALL PROVIDE:

10 1. IN THE FIRST YEAR, MATCHING FUNDS IN AN
11 AMOUNT EQUAL TO AT LEAST 25% OF THE AMOUNT OF THE GRANT;

12 2. IN THE SECOND YEAR, MATCHING FUNDS IN AN
13 AMOUNT EQUAL TO AT LEAST 50% OF THE AMOUNT OF THE GRANT; AND

14 3. IN THE THIRD YEAR, MATCHING FUNDS IN AN
15 AMOUNT EQUAL TO AT LEAST 75% OF THE AMOUNT OF THE GRANT.

16 (3) A COUNTY OR MUNICIPAL CORPORATION MAY NOT REDUCE
17 THE AMOUNT OF MONEY THAT A FIRE, RESCUE, OR EMERGENCY MEDICAL
18 SERVICES ENTITY OR A LOCAL LAW ENFORCEMENT AGENCY WOULD OTHERWISE
19 BE ENTITLED TO RECEIVE FROM THE COUNTY OR MUNICIPAL CORPORATION
20 BECAUSE OF MONEY PROVIDED FROM THE FUND.

21 (E) A COUNTY OR MUNICIPAL CORPORATION THAT RECEIVES A GRANT
22 UNDER THIS SUBTITLE:

23 (1) MAY USE THE GRANT ONLY IN ACCORDANCE WITH THE TERMS
24 OF THE GRANT ESTABLISHED BY THE DIRECTOR; AND

25 (2) SHALL COMPLY WITH ANY REQUIREMENTS, INCLUDING
26 REPORTING REQUIREMENTS, ESTABLISHED BY THE DIRECTOR.

27 7-101.

1 (b) “Fire, rescue, or emergency medical services entity” means:

2 (1) a governmental subdivision, by its appropriate designated
3 authority;

4 (2) a board or fire commission of a fire department or governmental
5 subdivision;

6 (3) a fire department;

7 (4) a fire company;

8 (5) a rescue squad; or

9 (6) an emergency medical services unit, including an entity that
10 provides emergency medical services at any level.

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