

# HOUSE BILL 15

E4, L1, P1

8lr4516

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By: **Delegates Haynes, Carter, Conaway, Kirk, Oaks, Robinson, Rosenberg, Stukes, and Tarrant**

Introduced and read first time: October 29, 2007

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Parole Fund**

3 FOR the purpose of establishing the Parole Fund; requiring the Governor to include a  
4 certain amount in the State budget each fiscal year for the Fund; requiring the  
5 Director of the Division of Parole and Probation to administer the Fund,  
6 establish certain procedures, and make certain grant awards; requiring a  
7 certain law enforcement agency or Police Athletic League center to provide the  
8 Director with certain information; requiring the Director to report to the  
9 Governor and the General Assembly on or before a certain date; defining certain  
10 terms; and generally relating to the Parole Fund.

11 BY adding to

12 Article – Correctional Services

13 Section 6–301 through 6–304 to be under the new subtitle “Subtitle 3. Parole  
14 Fund”

15 Annotated Code of Maryland

16 (1999 Volume and 2007 Supplement)

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

19 **Article – Correctional Services**

20 **SUBTITLE 3. PAROLE FUND.**

21 **6–301.**

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) “DIRECTOR” MEANS THE DIRECTOR OF THE DIVISION OR THE**  
2 **DIRECTOR’S DESIGNEE.**

3           **(C) “DIVISION” MEANS THE DIVISION OF PAROLE AND PROBATION.**

4           **(D) “FUND” MEANS THE PAROLE FUND ESTABLISHED UNDER THIS**  
5 **SUBTITLE.**

6           **(E) “OFFENDER” MEANS AN INDIVIDUAL ON PAROLE OR UNDER**  
7 **MANDATORY SUPERVISION.**

8 **6-302.**

9           **(A) THERE IS A PAROLE FUND.**

10          **(B) THE PURPOSE OF THE FUND IS TO ASSIST:**

11                   **(1) LOCAL LAW ENFORCEMENT AGENCIES IN THE POLICING OF**  
12 **HIGH CRIME AREAS; AND**

13                   **(2) POLICE ATHLETIC LEAGUE CENTERS.**

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

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

17                   **(2) THE TREASURER SHALL HOLD THE FUND SEPARATELY AND**  
18 **THE COMPTROLLER SHALL ACCOUNT FOR THE FUND IN CONJUNCTION WITH**  
19 **THE DIRECTOR.**

20          **(E) (1) THE FUND CONSISTS OF:**

21                   **(I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE**  
22 **FUND;**

23                   **(II) INVESTMENT EARNINGS OF THE FUND; AND**

24                   **(III) ANY OTHER MONEY FROM ANY OTHER SOURCE**  
25 **ACCEPTED FOR THE BENEFIT OF THE FUND.**

26           **(2) THE GOVERNOR SHALL INCLUDE \$20,000,000 IN THE STATE**  
27 **BUDGET EACH FISCAL YEAR FOR THE FUND.**

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

3           (2)   **ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID**  
4 **INTO THE FUND.**

5           (G)   **AS AUTHORIZED BY THE DIRECTOR, THE TREASURER SHALL MAKE**  
6 **PAYMENTS OUT OF THE FUND TO LOCAL LAW ENFORCEMENT AGENCIES AND**  
7 **POLICE ATHLETIC LEAGUE CENTERS.**

8 **6-303.**

9           (A)   **THE DIRECTOR SHALL ESTABLISH PROCEDURES FOR LOCAL LAW**  
10 **ENFORCEMENT AGENCIES AND POLICE ATHLETIC LEAGUE CENTERS TO APPLY**  
11 **FOR GRANTS FROM THE FUND, WITH PRIORITY GIVEN TO THOSE JURISDICTIONS**  
12 **WITH THE HIGHEST NUMBER OF OFFENDERS.**

13          (B)   **A LOCAL LAW ENFORCEMENT AGENCY OR POLICE ATHLETIC**  
14 **LEAGUE CENTER THAT APPLIES FOR MONEY FROM THE FUND SHALL PROVIDE**  
15 **THE DIRECTOR WITH:**

16           (1)   **THE NUMBER OF VIOLENT CRIME INCIDENTS INVOLVING**  
17 **OFFENDERS COMMITTED WITHIN THE JURISDICTION DURING THE PREVIOUS 2**  
18 **YEARS; AND**

19           (2)   **ANY OTHER INFORMATION THE DIRECTOR CONSIDERS**  
20 **NECESSARY TO MAKE GRANTS FOR LAW ENFORCEMENT NEEDS.**

21          (C)   **IN ACCORDANCE WITH THE STATE BUDGET, THE DIRECTOR SHALL**  
22 **MAKE GRANTS TO LOCAL LAW ENFORCEMENT AGENCIES AND POLICE ATHLETIC**  
23 **LEAGUE CENTERS THAT REFLECT THE NUMBER OF OFFENDERS RELEASED INTO**  
24 **THE JURISDICTION.**

25          (D)   **MONEY EXPENDED FROM THE FUND FOR LOCAL LAW**  
26 **ENFORCEMENT AGENCIES AND POLICE ATHLETIC LEAGUE CENTERS IS**  
27 **SUPPLEMENTAL TO, AND IS NOT INTENDED TO TAKE THE PLACE OF, FUNDING**  
28 **THAT OTHERWISE WOULD BE APPROPRIATED FOR LOCAL LAW ENFORCEMENT**  
29 **AGENCIES OR POLICE ATHLETIC LEAGUE CENTERS.**

30 **6-304.**

31           **ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE DIRECTOR SHALL**  
32 **REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE**

1 **GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE DISTRIBUTION OF**  
2 **GRANTS FROM THE FUND.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 July 1, 2008.