

# HOUSE BILL 1213

E4, L1, P1

8lr0779

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By: **Delegates Haynes, Branch, Conaway, DeBoy, Doory, Glenn, Griffith, Harrison, Kirk, Oaks, Robinson, Schuler, Stukes, Taylor, V. Turner, and Valderrama**

Introduced and read first time: February 8, 2008

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Youth Crime Prevention and Diversion Parole Fund**

3 FOR the purpose of establishing the Youth Crime Prevention and Diversion Parole  
4 Fund; requiring the Director of the Division of Parole and Probation to  
5 administer the Fund, establish certain procedures, and make certain grant  
6 awards; providing that the Fund consists of money appropriated in the State  
7 budget, investment earnings, and certain other money accepted for the benefit  
8 of the Fund; requiring a certain law enforcement agency or Police Athletic  
9 League center to provide the Director with certain information; requiring the  
10 Director to report to the Governor and the General Assembly on or before a  
11 certain date; defining certain terms; and generally relating to the Youth Crime  
12 Prevention and Diversion Parole Fund.

13 BY adding to

14 Article – Correctional Services

15 Section 6–301 through 6–304 to be under the new subtitle “Subtitle 3. Youth  
16 Crime Prevention and Diversion Parole Fund”

17 Annotated Code of Maryland

18 (1999 Volume and 2007 Supplement)

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

21 **Article – Correctional Services**

22 **SUBTITLE 3. PAROLE FUND.**

23 **6–301.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (B) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OR THE  
4 DIRECTOR'S DESIGNEE.

5 (C) "DIVISION" MEANS THE DIVISION OF PAROLE AND PROBATION.

6 (D) "FUND" MEANS THE YOUTH CRIME PREVENTION AND DIVERSION  
7 PAROLE FUND ESTABLISHED UNDER THIS SUBTITLE.

8 (E) "OFFENDER" MEANS AN INDIVIDUAL ON PAROLE OR UNDER  
9 MANDATORY SUPERVISION.

10 **6-302.**

11 (A) THERE IS A YOUTH CRIME PREVENTION AND DIVERSION PAROLE  
12 FUND.

13 (B) THE PURPOSE OF THE FUND IS TO ASSIST:

14 (1) LOCAL LAW ENFORCEMENT AGENCIES IN THE POLICING OF  
15 HIGH CRIME AREAS; AND

16 (2) POLICE ATHLETIC LEAGUE CENTERS.

17 (C) THE DIRECTOR SHALL ADMINISTER THE FUND.

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

20 (2) THE TREASURER SHALL HOLD THE FUND SEPARATELY AND  
21 THE COMPTROLLER SHALL ACCOUNT FOR THE FUND IN CONJUNCTION WITH  
22 THE DIRECTOR.

23 (E) THE FUND CONSISTS OF:

24 (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

25 (2) INVESTMENT EARNINGS OF THE FUND; AND

26 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR  
27 THE BENEFIT OF 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.