

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1661
Ways and Means

(Delegate Pena-Melnyk, *et al.*)

Education, Health, and Environmental Affairs

Schools and Child Care Centers - State Grant Program - Security Upgrades for
Facilities at Risk of Hate Crimes or Attacks

This bill authorizes the Maryland Center for School Safety to make grants to schools and child care centers determined to be at risk of hate crimes or attacks for security-related personnel and technology and facility upgrades.

Fiscal Summary

State Effect: General fund expenditures increase to provide grants in any fiscal year. The amount cannot be reliably estimated, as discussed below. The Center for School Safety can administer the grant program using existing resources.

Local Effect: The bill is not anticipated to impact local school systems.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: Any school or child care center determined to be at risk of hate crimes or attacks, as described under specified provisions of the Criminal Law Article, may apply to the center for a State grant to be applied toward the cost of a security-related project. The allocation and use of State funds are subject to the following terms and conditions:

- State funds may be used only for funding additional security training needs, security personnel, security cameras, security-related technology, door hardening, improved lighting, or other security-related facility upgrades; and

- the amount of the State grant for any project must be determined after consideration of all eligible applicants, the total of the unallocated State funds available at the time the application is received, and the priorities of area need as may be established by the Center.

The State Board of Education, after consulting with the Center, may adopt regulations for receiving and considering applications and for disbursing funds to applicants. Funding for the State grants must be as provided by the Governor in the annual State budget.

“Child care center” means an agency, institution, or establishment that, for part or all of a day, or on a 24-hour basis on a regular schedule, and at least twice a week, offers or provides child care to children who do not have the same parentage except as otherwise provided for in law or regulation.

Current Law/Background: Pursuant to § 10-305 of the Criminal Law Article, a person may not deface, damage, or destroy; attempt to deface, damage, or destroy; burn or attempt to burn an object on; or damage the real or personal property connected to a building that is publicly or privately owned, leased, or used, including a cemetery, library, meeting hall, recreation center, or school:

- because a person or group of a particular race, color, religious belief, sexual orientation, gender, disability, or national origin, or because a person or group that is homeless, has contacts or is associated with the building; or
- if there is evidence that exhibits animosity against a person or group, because of the race, color, religious beliefs, sexual orientation, gender, disability, or national origin of that person or group or because that person or group is homeless.

Chapter 372 of 2013 established the Maryland Center for School Safety as an independent unit of State Government to be based at Bowie State University (it is currently located at the Maryland State Police’s Coordination and Analysis Center). Chapter 372 identified 20 functions and duties of the center that provide a comprehensive, coordinated approach to school safety, including developing a website containing a searchable database of school safety resources, assisting local school systems in conducting a thorough assessment of their school safety data, assisting local school systems with school building layouts and use of human resources for monitoring school safety measures, and assisting local school systems improve and monitor traffic control measures around schools to reduce the potential for accidents.

Chapter 372 also included a mandated annual appropriation of \$500,000 for the center; accordingly, the fiscal 2018 State budget contains this funding. The operations of the center must be supported by funds as provided by the Governor in the State budget, grants

or other assistance from local school systems, federal grants, and any other grants or contributions from public or private entities.

In February 2017, the Governor of New York announced a \$25.0 million grant program to boost safety and security in New York's schools and day care centers at risk because of their ideology, beliefs, or missions. The program provides funding for additional security training needs, cameras, door hardening, improved lighting, and other related security upgrades. The program was announced after an increase in bomb threats and hate crimes against the Jewish community in recent months, as well as a 31% increase in reported hate crimes targeting Muslims in 2016 across New York State. According to news reports, at least two Jewish day schools in Maryland received bomb threats in February 2017.

State Expenditures: General fund expenditures increase to provide security-related grants, as authorized in the bill. The need for such grants, and thus the cost of the grant program, cannot be reliably estimated. No funds for grants are included in the fiscal 2018 State budget. Although the fiscal 2018 State budget includes mandated funding of \$500,000 to support the Center for School Safety, such funding will be used for the existing functions and duties of the center and thus not available for providing grants. A reliable estimate of the number of schools and child care centers that may be at risk of hate crimes and attacks, as specified, is not readily available nor is information regarding the types of security enhancements that may be requested. While some permissive security measures under the bill, such as door hardening and improved lighting, would be relatively inexpensive, other measures, such as the installation and monitoring of security cameras, would be more costly. The Center for School Safety advises that additional security training, one of the permitted purposes under the bill, can be provided to schools and centers with existing resources. It also advises that it can use existing resources to administer grants, assuming that funds to provide grants are made available.

Small Business Effect: Child care centers and private schools may be eligible for State grants to enhance security, to the extent that funding is made available. Small businesses offering security-related services may benefit from increased demand, to the extent that State grants are made available for child care centers and schools to enhance security measures.

Additional Information

Prior Introductions: None.

Cross File: SB 1191 (Senators Manno and Nathan-Pulliam) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland State Department of Education; Department of State Police; *The Baltimore Sun*; *The Washington Post*; New York State Governor's Office; Department of Legislative Services

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