

HOUSE BILL 240

L6, E4

8lr0557
CF SB 661

By: **Delegates Moon, Atterbeary, Korman, Proctor, Sanchez, and Sydnor**

Introduced and read first time: January 18, 2018

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 14, 2018

CHAPTER _____

1 AN ACT concerning

2 **Law Enforcement – Federal Surplus Program – Equipment Acquisition**

3 FOR the purpose of ~~prohibiting certain law enforcement agencies from receiving certain~~
4 ~~equipment from a federal military surplus program;~~ requiring certain law
5 enforcement agencies to post notice of ~~a request for~~ the acquisition of certain
6 equipment from a federal military surplus program within a certain period of time;
7 requiring a certain law enforcement agency to submit a certain report to the
8 Governor and the General Assembly on or before a certain date each year; and
9 generally relating to local law enforcement agencies and the acquisition of equipment
10 from a federal military surplus program.

11 BY adding to

12 Article – Public Safety

13 Section 3–520

14 Annotated Code of Maryland

15 (2011 Replacement Volume and 2017 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Public Safety**

19 **3–520.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 ~~(2) "DESTRUCTIVE DEVICE" HAS THE MEANING STATED IN § 4-501 OF~~
4 ~~THE CRIMINAL LAW ARTICLE.~~

5 ~~(3) "FIREARM SILENCER" HAS THE MEANING STATED IN § 5-621 OF~~
6 ~~THE CRIMINAL LAW ARTICLE.~~

7 ~~(4)~~ (2) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED
8 IN § 3-201 OF THIS TITLE.

9 ~~(5)~~ (3) "SURPLUS PROGRAM" MEANS A PROGRAM OPERATED BY
10 THE FEDERAL GOVERNMENT FOR THE TRANSFER OF SURPLUS MILITARY
11 EQUIPMENT TO A LAW ENFORCEMENT AGENCY.

12 ~~(B) A LAW ENFORCEMENT AGENCY MAY NOT RECEIVE THE FOLLOWING~~
13 ~~EQUIPMENT FROM A SURPLUS PROGRAM:~~

14 ~~(1) AN ARMORED OR WEAPONIZED:~~

15 ~~(I) AIRCRAFT;~~

16 ~~(II) DRONE; OR~~

17 ~~(III) VEHICLE;~~

18 ~~(2) A DESTRUCTIVE DEVICE;~~

19 ~~(3) A FIREARM SILENCER; OR~~

20 ~~(4) A GRENADE LAUNCHER.~~

21 ~~(C)~~ (B) WITHIN 14 DAYS AFTER A LAW ENFORCEMENT AGENCY ~~REQUESTS~~
22 ACQUIRES EQUIPMENT FROM A SURPLUS PROGRAM, THE LAW ENFORCEMENT
23 AGENCY SHALL POST NOTICE OF THE ~~REQUEST~~ ACQUISITION ON A PUBLICLY
24 ACCESSIBLE WEBSITE.

25 (C) ON OR BEFORE DECEMBER 31 EACH YEAR, A LAW ENFORCEMENT
26 AGENCY THAT HAS RECEIVED EQUIPMENT FROM A SURPLUS PROGRAM WITHIN THE
27 PRECEDING CALENDAR YEAR SHALL REPORT THE RECEIPT OF THE EQUIPMENT TO
28 THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT
29 ARTICLE, THE GENERAL ASSEMBLY.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.