

# HOUSE BILL 138

L6, E4

(9lr0385)

## ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by **Delegates Moon, Atterbeary, J. Lewis, R. Lewis, Lierman, Sydnor, and Wells**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

3 FOR the purpose of ~~requiring certain law enforcement agencies to post notice of the~~  
4 ~~acquisition of certain equipment from a federal military surplus program within a~~  
5 ~~certain period of time; requiring a certain law enforcement agency~~ requiring the  
6 Department of State Police to submit a certain report to the Governor and the  
7 General Assembly on or before a certain date each year relating to the acquisition of  
8 equipment by law enforcement agencies through surplus programs; requiring the  
9 Department of State Police to include on its public website in a certain location a  
10 link to a certain report; providing for the termination of this Act; and generally  
11 relating to local law enforcement agencies and the acquisition of equipment from a  
12 federal military surplus program.

13 BY adding to

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#### 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.

*Italics indicate opposite chamber/conference committee amendments.*



1 Article – Public Safety  
2 Section 3–521  
3 Annotated Code of Maryland  
4 (2011 Replacement Volume and 2018 Supplement)

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

7 **Article – Public Safety**

8 **3–521.**

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

11 (2) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN  
12 § 3–201 OF THIS TITLE.

13 (3) “SURPLUS PROGRAM” MEANS A PROGRAM OPERATED BY THE  
14 FEDERAL GOVERNMENT FOR THE TRANSFER OF SURPLUS MILITARY EQUIPMENT TO  
15 A LAW ENFORCEMENT AGENCY.

16 ~~(B) WITHIN 14 DAYS AFTER A LAW ENFORCEMENT AGENCY ACQUIRES~~  
17 ~~EQUIPMENT FROM A SURPLUS PROGRAM, THE LAW ENFORCEMENT AGENCY SHALL~~  
18 ~~POST NOTICE OF THE ACQUISITION ON A PUBLICLY ACCESSIBLE WEBSITE.~~

19 ~~(C) ON OR BEFORE FEBRUARY 1 EACH YEAR, A LAW ENFORCEMENT AGENCY~~  
20 ~~THAT HAS ACQUIRED EQUIPMENT FROM A SURPLUS PROGRAM WITHIN THE~~  
21 ~~PRECEDING CALENDAR YEAR SHALL REPORT THE ACQUISITION OF THE EQUIPMENT~~  
22 ~~TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE~~  
23 ~~GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.~~

24 (B) ON OR BEFORE FEBRUARY 1 EACH YEAR, THE DEPARTMENT OF STATE  
25 POLICE SHALL SUBMIT A REPORT ON THE ACQUISITION OF EQUIPMENT BY LAW  
26 ENFORCEMENT AGENCIES THROUGH SURPLUS PROGRAMS WITHIN THE PRECEDING  
27 CALENDAR YEAR TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE  
28 STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

29 (C) THE DEPARTMENT OF STATE POLICE SHALL INCLUDE IN A PROMINENT  
30 LOCATION ON ITS PUBLIC WEBSITE A LINK TO THE DEFENSE LOGISTICS AGENCY’S  
31 REPORT LISTING EXCESS DEPARTMENT OF DEFENSE PROPERTY TRANSFERS TO  
32 LAW ENFORCEMENT AGENCIES THROUGH THE LAW ENFORCEMENT SUPPORT  
33 OFFICE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2019. It shall remain effective for a period of 3 years and, at the end of September  
3 30, 2022, this Act, with no further action required by the General Assembly, shall be  
4 abrogated and of no further force and effect.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.