

HOUSE BILL 138

L6, E4
HB 240/18 – JUD

9lr0385
CF SB 210

By: **Delegates Moon, Atterbeary, J. Lewis, R. Lewis, Lierman, Sydnor, and Wells**

Introduced and read first time: January 21, 2019

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 20, 2019

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; and generally relating to local law enforcement agencies and
11 the acquisition of equipment from a federal military surplus program.

12 BY adding to

13 Article – Public Safety

14 Section 3–521

15 Annotated Code of Maryland

16 (2011 Replacement Volume and 2018 Supplement)

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

18 That the Laws of Maryland read as follows:

19 **Article – Public Safety**

20 **3–521.**

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) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN
4 § 3-201 OF THIS TITLE.

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

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

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

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

21 (C) THE DEPARTMENT OF STATE POLICE SHALL INCLUDE IN A PROMINENT
22 LOCATION ON ITS PUBLIC WEBSITE A LINK TO THE DEFENSE LOGISTICS AGENCY'S
23 REPORT LISTING EXCESS DEPARTMENT OF DEFENSE PROPERTY TRANSFERS TO
24 LAW ENFORCEMENT AGENCIES THROUGH THE LAW ENFORCEMENT SUPPORT
25 OFFICE.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2019.