

# HOUSE BILL 1348

E4  
HB 1732/18 – HRU

9lr3176

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By: **Delegates Haynes, Chang, Corderman, Jackson, and McKay**

Introduced and read first time: February 18, 2019

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Youth Crime Prevention and Diversion Parole Fund –**  
3 **Establishment**

4 FOR the purpose of establishing the Youth Crime Prevention and Diversion Parole Fund  
5 as a special, nonlapsing fund; specifying the purpose, use, and contents of the Fund;  
6 requiring the Executive Director of the Governor’s Office of Crime Control and  
7 Prevention to administer the Fund; requiring the State Treasurer to hold the Fund  
8 separately and the Comptroller, in conjunction with the Executive Director, to  
9 account for the Fund; requiring the Governor to appropriate annually a certain  
10 amount for the Fund; providing for the investment of money in and expenditures  
11 from the Fund; providing that expenditures from the Fund may be made only in  
12 accordance with the State budget; providing that the accounts and transactions of  
13 the Fund shall be subject to a certain audit; requiring the Executive Director to  
14 establish certain procedures for the disbursement of money from the Fund and,  
15 subject to a certain priority, award grants from the Fund; requiring that an applicant  
16 provide the Executive Director with certain information; specifying that money  
17 distributed from the Fund shall be used to supplement, and not supplant, certain  
18 other funding; defining certain terms; and generally relating to the Youth Crime  
19 Prevention and Diversion Parole Fund.

20 BY adding to

21 Article – Public Safety  
22 Section 4–1201 through 4–1203 to be under the new subtitle “Subtitle 12. Youth  
23 Crime Prevention and Diversion Parole Fund”  
24 Annotated Code of Maryland  
25 (2018 Replacement Volume)

26 BY repealing and reenacting, without amendments,

27 Article – State Finance and Procurement  
28 Section 6–226(a)(2)(i)  
29 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2015 Replacement Volume and 2018 Supplement)

2 BY repealing and reenacting, with amendments,  
3 Article – State Finance and Procurement  
4 Section 6–226(a)(2)(ii)112. and 113.  
5 Annotated Code of Maryland  
6 (2015 Replacement Volume and 2018 Supplement)

7 BY adding to  
8 Article – State Finance and Procurement  
9 Section 6–226(a)(2)(ii)114.  
10 Annotated Code of Maryland  
11 (2015 Replacement Volume and 2018 Supplement)

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

14 **Article – Public Safety**

15 **SUBTITLE 12. YOUTH CRIME PREVENTION AND DIVERSION PAROLE FUND.**

16 **4–1201.**

17 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
18 INDICATED.

19 (B) “EXECUTIVE DIRECTOR” MEANS THE EXECUTIVE DIRECTOR OF THE  
20 GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION.

21 (C) “FUND” MEANS THE YOUTH CRIME PREVENTION AND DIVERSION  
22 PAROLE FUND.

23 (D) “LOCAL LAW ENFORCEMENT AGENCY” MEANS A POLICE DEPARTMENT  
24 OF A COUNTY OR MUNICIPALITY.

25 (E) “OFFENDER” HAS THE MEANING INDICATED IN § 6–101 OF THE  
26 CORRECTIONAL SERVICES ARTICLE.

27 **4–1202.**

28 (A) THERE IS A YOUTH CRIME PREVENTION AND DIVERSION PAROLE  
29 FUND.

30 (B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANT ASSISTANCE TO  
31 LOCAL LAW ENFORCEMENT AGENCIES TO POLICE HIGH–CRIME AREAS.

1 (C) THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE FUND.

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

4 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY  
5 AND THE COMPTROLLER, IN CONJUNCTION WITH THE EXECUTIVE DIRECTOR,  
6 SHALL ACCOUNT FOR THE FUND.

7 (E) (1) THE FUND CONSISTS OF:

8 (I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE  
9 FUND;

10 (II) INVESTMENT EARNINGS OF THE FUND; AND

11 (III) MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE  
12 BENEFIT OF THE FUND.

13 (2) THE GOVERNOR SHALL APPROPRIATE ANNUALLY AT LEAST  
14 \$500,000 FOR THE FUND.

15 (F) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO LOCAL LAW  
16 ENFORCEMENT AGENCIES TO POLICE HIGH-CRIME AREAS.

17 (G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND  
18 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

19 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO  
20 THE FUND.

21 (H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE  
22 WITH THE STATE BUDGET.

23 (I) THE ACCOUNTS AND TRANSACTIONS OF THE FUND SHALL BE SUBJECT  
24 TO AUDIT BY THE LEGISLATIVE AUDITOR AS PROVIDED IN § 2-1220 OF THE STATE  
25 GOVERNMENT ARTICLE.

26 4-1203.

27 (A) (1) THE EXECUTIVE DIRECTOR SHALL ESTABLISH PROCEDURES FOR  
28 LOCAL LAW ENFORCEMENT AGENCIES TO APPLY FOR GRANTS FROM THE FUND.

1           **(2) A LOCAL LAW ENFORCEMENT AGENCY THAT APPLIES FOR A**  
 2 **GRANT FROM THE FUND SHALL PROVIDE THE EXECUTIVE DIRECTOR WITH ANY**  
 3 **INFORMATION THE EXECUTIVE DIRECTOR DEEMS NECESSARY.**

4           **(B) THE EXECUTIVE DIRECTOR SHALL MAKE GRANTS FROM THE FUND TO**  
 5 **LOCAL LAW ENFORCEMENT AGENCIES WITH PRIORITY GIVEN TO THOSE**  
 6 **JURISDICTIONS WITH THE HIGHEST NUMBER OF OFFENDERS.**

7           **(C) MONEY DISBURSED FROM THE FUND SHALL BE USED TO SUPPLEMENT,**  
 8 **AND NOT SUPPLANT, ANY OTHER FUNDING THAT WOULD OTHERWISE BE AVAILABLE**  
 9 **TO LOCAL LAW ENFORCEMENT AGENCIES.**

10                                   **Article – State Finance and Procurement**

11 6–226.

12           (a) (2) (i) Notwithstanding any other provision of law, and unless  
 13 inconsistent with a federal law, grant agreement, or other federal requirement or with the  
 14 terms of a gift or settlement agreement, net interest on all State money allocated by the  
 15 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
 16 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
 17 Fund of the State.

18                                   (ii) The provisions of subparagraph (i) of this paragraph do not apply  
 19 to the following funds:

20   112. the Pretrial Services Program Grant Fund; [and]

21   113. the Veteran Employment and Transition Success Fund;

22 **AND**

23   **114. THE YOUTH CRIME PREVENTION AND DIVERSION**  
 24 **PAROLE FUND.**

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