

HOUSE BILL 1348

E4
HB 1732/18 – HRU

9lr3176

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

Introduced and read first time: February 18, 2019

Assigned to: Rules and Executive Nominations

Re-referred to: Appropriations, March 4, 2019

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 13, 2019

CHAPTER _____

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”

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 Annotated Code of Maryland
2 (2018 Replacement Volume)

3 BY repealing and reenacting, without amendments,
4 Article – State Finance and Procurement
5 Section 6–226(a)(2)(i)
6 Annotated Code of Maryland
7 (2015 Replacement Volume and 2018 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – State Finance and Procurement
10 Section 6–226(a)(2)(ii)112. and 113.
11 Annotated Code of Maryland
12 (2015 Replacement Volume and 2018 Supplement)

13 BY adding to
14 Article – State Finance and Procurement
15 Section 6–226(a)(2)(ii)114.
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2018 Supplement)

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

20 **Article – Public Safety**

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

22 **4–1201.**

23 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
24 INDICATED.

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

27 (C) “FUND” MEANS THE YOUTH CRIME PREVENTION AND DIVERSION
28 PAROLE FUND.

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

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

33 **4–1202.**

1 (A) THERE IS A YOUTH CRIME PREVENTION AND DIVERSION PAROLE
2 FUND.

3 (B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANT ASSISTANCE TO
4 LOCAL LAW ENFORCEMENT AGENCIES TO ~~POLICE HIGH-CRIME AREAS~~ ADMINISTER:

5 (1) A DIVERSION PROGRAM UNDER § 3-8A-10(M)(2) OF THE COURTS
6 ARTICLE; OR

7 (2) A YOUTH ENGAGEMENT PROGRAM OR EVENT IN A HIGH-CRIME
8 AREA.

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

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

12 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY
13 AND THE COMPTROLLER, IN CONJUNCTION WITH THE EXECUTIVE DIRECTOR,
14 SHALL ACCOUNT FOR THE FUND.

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

16 (I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE
17 FUND;

18 (II) INVESTMENT EARNINGS OF THE FUND; AND

19 (III) MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE
20 BENEFIT OF THE FUND.

21 (2) THE GOVERNOR SHALL APPROPRIATE ANNUALLY AT LEAST
22 ~~\$500,000~~ \$100,000 FOR THE FUND.

23 (F) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO LOCAL LAW
24 ENFORCEMENT AGENCIES ~~TO POLICE HIGH-CRIME AREAS~~ FOR THE PURPOSES
25 ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

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

28 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
29 THE FUND.

1 **(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
2 **WITH THE STATE BUDGET.**

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

6 **4-1203.**

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

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

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

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

18 **Article – State Finance and Procurement**

19 **6-226.**

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

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

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

29 113. the Veteran Employment and Transition Success Fund;

30 **AND**

1 **114. THE YOUTH CRIME PREVENTION AND DIVERSION**
2 **PAROLE FUND.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.