

Chapter 321

(Senate Bill 210)

AN ACT concerning

Law Enforcement – Federal Military Surplus Program – Equipment Acquisition

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

BY adding to

Article – Public Safety

Section 3–521

Annotated Code of Maryland

(2011 Replacement Volume and 2018 Supplement)

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

Article – Public Safety

3–521.

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

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

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

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

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

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

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

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

Approved by the Governor, April 30, 2019.