

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 898
Judiciary

(Delegate Hartman, *et al.*)

Protective Body Armor Fund - Expansion - First Responders

This bill expands the purpose and use of the Protective Body Armor Fund to include assistance to first responders. The bill authorizes the Executive Director of the Governor’s Office of Crime Control and Prevention (GOCCP) to distribute money in the fund to first responder units for the acquisition of protective body armor for its first responders under the same authorizations and requirements that apply to law enforcement agencies.

Fiscal Summary

State Effect: No direct effect on overall State finances; however, grant fund revenues to eligible State law enforcement agencies and the Division of Parole and Probation (DPP) within the Department of Public Safety and Correctional Services (DPSCS) may decrease in future years to the extent that a greater number of applicants qualify for and receive assistance from the fund.

Local Effect: Local grant revenues and expenditures may increase to the extent that local government first responder units qualify for assistance from the fund and purchase body armor.

Small Business Effect: None.

Analysis

Bill Summary: “First responder” means an individual who is (1) licensed or certified under § 13-516 of the Education Article (*i.e.*, cardiac rescue technicians, emergency medical dispatchers, emergency medical responders, emergency medical technicians, and paramedics) or (2) a firefighter or an emergency medical technician.

Current Law: The Protective Body Armor Fund is a special fund administered by the Executive Director of GOCCP to assist local law enforcement agencies to (1) acquire protective body armor for each police officer of the local law enforcement agency and (2) replace protective body armor at least every 10 years, or sooner if testing indicates a need for replacement.

The fund consists of money appropriated in the State budget to the fund. As authorized by the executive director, the Treasurer must make payments out of the fund to local law enforcement agencies. A local law enforcement agency may use State money provided from the fund only to purchase or replace protective body armor. A single grant may not initially exceed 10% of the total money budgeted in the fund for any fiscal year.

In accordance with the State budget, grants to local law enforcement agencies are made based on the comparative needs of each local law enforcement agency as determined by the following criteria:

- the number of violent crime incidents committed within the jurisdiction of the local law enforcement agency for the last two years;
- the current number of sworn officers;
- the current number of sworn officers not assigned protective body armor;
- the number and age of protective body armor units currently in use by the local law enforcement agency;
- the number of protective body armor units requested for officers not currently assigned protective body armor and for officers assigned protective body armor in need of replacement due to age or wear;
- the regulations of the local law enforcement agency that relate to the use of protective body armor;
- the local law enforcement agency's budget request for supplies and equipment for the current and last two fiscal years; and
- any other information that the Secretary considers necessary to make grants for protective body armor.

After the initial allocation of money, the Secretary may distribute any money remaining in the fund on an equitable basis, as determined by the same criteria. After the required and permitted allocations are made to eligible local law enforcement agencies, the executive director may distribute any of the money remaining in the fund to DPP within DPSCS to assist the division to acquire protective body armor for its agents.

A local law enforcement agency must use the money distributed from the fund as an addition to and not as a substitute for money appropriated from sources other than the fund

to acquire or replace protective body armor. Each local law enforcement agency must spend money from its own sources to acquire or replace protective body armor in an amount at least equal to the amount of State money awarded from the fund. After a local law enforcement agency receives notice from the executive director of a grant, the local law enforcement agency must submit to the executive director proof of expenditures on protective body armor. After certifying the expenditures, the executive director may authorize the reimbursement of one-half of the local law enforcement agency's expenditures on protective body armor, up to a maximum of the amount of the grant.

Background: According to the most recent Protective Body Armor [Report](#), in fiscal 2019, GOCCP provided \$48,884 in funding for 91 armor vests. The Governor's proposed fiscal 2021 budget includes \$49,088 in general funds for the Protective Body Armor Fund.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Institute for Emergency Medical Services Systems; Baltimore City; Howard, Montgomery, and Prince George's counties; City of Bowie; Governor's Office of Crime Control and Prevention; Maryland State Treasurer's Office; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

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