

HOUSE BILL 1243

E4

3lr3030
CF SB 840

By: **Delegate Attar**

Introduced and read first time: February 15, 2023

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Protecting Against Hate Crimes Grant Fund – Establishment**

3 FOR the purpose of establishing the Protecting Against Hate Crimes Grant Fund as a
4 special, nonlapsing fund to make grants to nonprofit organizations, including
5 faith-based organizations, to provide security enhancements to protect against hate
6 crimes; requiring the Executive Director of the Governor’s Office of Crime
7 Prevention, Youth, and Victim Services to administer the Fund; requiring, for fiscal
8 year 2025 and each fiscal year thereafter, the Governor to include in the annual
9 budget bill a certain appropriation to the Fund; and generally relating to the
10 Protecting Against Hate Crimes Grant Fund.

11 BY adding to

12 Article – Public Safety

13 Section 4–1601 to be under the new subtitle “Subtitle 16. Protecting Against Hate
14 Crimes Grant Fund”

15 Annotated Code of Maryland

16 (2022 Replacement Volume)

17 BY repealing and reenacting, without amendments,

18 Article – State Finance and Procurement

19 Section 6–226(a)(2)(i)

20 Annotated Code of Maryland

21 (2021 Replacement Volume and 2022 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article – State Finance and Procurement

24 Section 6–226(a)(2)(ii)170. and 171.

25 Annotated Code of Maryland

26 (2021 Replacement Volume and 2022 Supplement)

27 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – State Finance and Procurement
2 Section 6–226(a)(2)(ii)172.
3 Annotated Code of Maryland
4 (2021 Replacement Volume and 2022 Supplement)

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

7 **Article – Public Safety**

8 **SUBTITLE 16. PROTECTING AGAINST HATE CRIMES GRANT FUND.**

9 **4–1601.**

10 (A) IN THIS SECTION, “FUND” MEANS THE PROTECTING AGAINST HATE
11 CRIMES GRANT FUND.

12 (B) THERE IS A PROTECTING AGAINST HATE CRIMES GRANT FUND.

13 (C) THE PURPOSE OF THE FUND IS TO MAKE GRANTS TO NONPROFIT
14 ORGANIZATIONS, INCLUDING FAITH–BASED ORGANIZATIONS, TO PROVIDE
15 SECURITY ENHANCEMENTS TO PROTECT AGAINST HATE CRIMES.

16 (D) THE EXECUTIVE DIRECTOR OF THE GOVERNOR’S OFFICE OF CRIME
17 PREVENTION, YOUTH, AND VICTIM SERVICES SHALL:

18 (1) ADMINISTER THE FUND;

19 (2) ESTABLISH AND PUBLISH PROCEDURES FOR THE DISTRIBUTION
20 OF GRANTS TO NONPROFIT ORGANIZATIONS, INCLUDING FAITH–BASED
21 ORGANIZATIONS;

22 (3) SET ASIDE \$1,000,000 EACH YEAR FOR GRANTS TO FAITH–BASED
23 INSTITUTIONS TO INCREASE SECURITY MEASURES AGAINST FAITH–BASED HATE
24 CRIMES, WITH PRIORITY GIVEN TO APPLICANTS THAT CAN DEMONSTRATE A HIGH
25 PREVALENCE OF HATE CRIMES AGAINST MEMBERS OF AND INSTITUTIONS
26 REPRESENTING THE APPLICANT’S FAITH; AND

27 (4) SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH §
28 2–1257 OF THE STATE GOVERNMENT ARTICLE, A REPORT ON THE DISTRIBUTION OF
29 FUNDING BEFORE SEPTEMBER 1 EACH YEAR.

30 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
31 SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

1 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
2 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

3 **(F) THE FUND CONSISTS OF:**

4 **(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

5 **(2) ANY INTEREST EARNINGS OF THE FUND; AND**

6 **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
7 **THE BENEFIT OF THE FUND.**

8 **(G) THE FUND MAY BE USED ONLY TO MAKE GRANTS TO NONPROFIT**
9 **ORGANIZATIONS, INCLUDING FAITH-BASED ORGANIZATIONS, TO PROVIDE**
10 **SECURITY ENHANCEMENTS TO PROTECT AGAINST HATE CRIMES.**

11 **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**
12 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

13 **(2) ANY INTEREST EARNINGS OF THE FUND, INCLUDING INTEREST**
14 **EARNINGS UNDER SUBSECTION (F) OF THIS SECTION, SHALL BE CREDITED TO THE**
15 **FUND.**

16 **(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
17 **WITH THE STATE BUDGET.**

18 **(J) MONEY EXPENDED FROM THE FUND FOR GRANTS TO NONPROFIT**
19 **ORGANIZATIONS TO PROVIDE SECURITY ENHANCEMENTS TO PROTECT AGAINST**
20 **HATE CRIMES IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF**
21 **FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR PROVIDING NONPROFIT**
22 **ORGANIZATIONS WITH SECURITY ENHANCEMENTS TO PROTECT AGAINST HATE**
23 **CRIMES.**

24 **(K) FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE**
25 **GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF**
26 **\$5,000,000 TO THE FUND.**

27 **Article – State Finance and Procurement**

28 6–226.

29 (a) (2) (i) Notwithstanding any other provision of law, and unless
30 inconsistent with a federal law, grant agreement, or other federal requirement or with the

1 terms of a gift or settlement agreement, net interest on all State money allocated by the
2 State Treasurer under this section to special funds or accounts, and otherwise entitled to
3 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
4 Fund of the State.

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

7 170. the Cannabis Public Health Fund; [and]

8 171. the Community Reinvestment and Repair Fund; AND

9 **172. THE PROTECTING AGAINST HATE CRIMES GRANT**
10 **FUND.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2023.