

# SENATE BILL 840

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CF 3lr3030

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By: **Senators Kramer, Brooks, Corderman, Elfreth, Feldman, Hettleman, Waldstreicher, and Lewis Young**

Introduced and read first time: February 6, 2023

Assigned to: Budget and Taxation

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## 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)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – State Finance and Procurement  
3 Section 6–226(a)(2)(ii)172.  
4 Annotated Code of Maryland  
5 (2021 Replacement Volume and 2022 Supplement)

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

8 **Article – Public Safety**

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

10 **4–1601.**

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

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

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

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

19 **(1) ADMINISTER THE FUND;**

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

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

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

31 **(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**

1 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

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

4 (F) THE FUND CONSISTS OF:

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

6 (2) ANY INTEREST EARNINGS OF THE FUND; AND

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

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

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

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

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

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

25 (K) FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE  
26 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF  
27 \$5,000,000 TO THE FUND.

28 Article – State Finance and Procurement

29 6-226.

30 (a) (2) (i) Notwithstanding any other provision of law, and unless

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

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

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

9 171. the Community Reinvestment and Repair Fund; AND

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

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
13 1, 2023.