

Chapter 746

(Senate Bill 840)

AN ACT concerning

Public Safety – Protecting Against Hate Crimes Grant Fund – Establishment

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

BY adding to

Article – Public Safety

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

Annotated Code of Maryland
(2022 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)170. and 171.

Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)172.

Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

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

Article – Public Safety

SUBTITLE 16. PROTECTING AGAINST HATE CRIMES GRANT FUND.**4-1601.**

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

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

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

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

(1) ADMINISTER THE FUND;

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

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

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

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

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

(F) THE FUND CONSISTS OF:

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

(2) ANY INTEREST EARNINGS OF THE FUND; AND

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

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

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

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

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

(J) MONEY EXPENDED FROM THE FUND FOR GRANTS TO NONPROFIT ORGANIZATIONS, INCLUDING FAITH-BASED ORGANIZATIONS, TO PROVIDE SECURITY ENHANCEMENTS TO PROTECT AGAINST HATE CRIMES IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR PROVIDING NONPROFIT ORGANIZATIONS, INCLUDING FAITH-BASED ORGANIZATIONS, WITH SECURITY ENHANCEMENTS TO PROTECT AGAINST HATE CRIMES.

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

Article – State Finance and Procurement

6–226.

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

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

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

171. the Community Reinvestment and Repair Fund; AND

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

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

Approved by the Governor, May 16, 2023.