

Department of Legislative Services
 Maryland General Assembly
 2023 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 974
 Judiciary

(Delegate Addison, *et al.*)

Public Safety - Gun Violence Victim Relocation Program - Establishment

This bill establishes (1) the Gun Violence Victim Relocation Program within the Victim Services Unit (VSU) of the Governor’s Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) to assist in the relocation of victims of gun violence in the State to ensure the safety and well-being of the victim and the victim’s family. The bill establishes a related special fund – the Gun Violence Victim Relocation Program Fund – administered by VSU. For fiscal 2025 only, the Governor must include in the annual budget bill an appropriation of \$10.0 million to the fund. VSU must also establish an oversight commission to ensure that the program is administered properly and that the fund is used appropriately. By December 1 each year, beginning in 2025, VSU must report specified information relating to the status of the program to the Governor and the General Assembly. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: General fund expenditures increase by \$10.0 million annually beginning in FY 2024 to capitalize the fund, though funding is only mandated in FY 2025; funding in other years is discretionary. Special fund revenues to and expenditures from the fund increase correspondingly. **This bill establishes a mandated appropriation for FY 2025.**

(\$ in millions)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
SF Revenue	\$10.0	\$10.0	\$10.0	\$10.0	\$10.0
GF Expenditure	\$10.0	\$10.0	\$10.0	\$10.0	\$10.0
SF Expenditure	\$10.0	\$10.0	\$10.0	\$10.0	\$10.0
Net Effect	(\$10.0)	(\$10.0)	(\$10.0)	(\$10.0)	(\$10.0)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Potential minimal increase in local government expenditures and revenues, as discussed below.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary:

Gun Violence Victim Relocation Program: An individual may request participation in the program through VSU. An individual is eligible for assistance through the program if the individual (1) is a victim of gun violence in the State; (2) experienced the violence within close proximity to the individual's home or lives in close proximity to a person who is suspected to have caused the violence; and (3) demonstrates a need to be relocated for the safety of the individual or the individual's family. VSU must accept any eligible individual into the program except for an individual suspected to have perpetrated the violence.

VSU must keep the personal information of applicants confidential, as specified. In addition, VSU must establish an appeal process for an individual determined to be ineligible and denied assistance under the program.

VSU must (1) collaborate with other State and local agencies, including law enforcement, housing authorities, and social services, to provide comprehensive services to victims under the program; (2) conduct community outreach in order to educate the public about the program and to encourage victims of gun violence to seek assistance under the program; and (3) work to ensure that victims under the program who are renters are protected from eviction or from being denied rental housing based on the victim's status in the program.

VSU must assist an eligible victim accepted into the program by:

- relocating the victim and the victim's family to a safe location;
- providing the victim with financial assistance for moving expenses, security deposit, and rent; and
- providing other support services, including counseling, legal assistance, job training, and resources and services for individuals with disabilities.

VSU must adopt rules and regulations necessary to carry out the bill's provisions.

Gun Violence Victim Relocation Program Fund: The purpose of the fund is to carry out the bill's provisions, and the fund may only be used for carrying out that purpose. The fund consists of money appropriated in the State budget to the fund, private donations, and any other money from any other source accepted for the benefit of the fund. Any interest earnings of the fund must be credited to the fund.

The fund is subject to audit by the Office of Legislative Audits (OLA).

Current Law: The Victim and Witness Protection and Relocation Fund (VWPRF) is a special fund used to carry out the Victim and Witness Protection and Relocation Program, which is administered by the States' Attorneys' coordinator. The fund consists of court costs imposed on defendants convicted of crimes. The Comptroller deposits \$2.50 from each fee collected in circuit courts and the District Court (excluding fees from motor vehicle cases that are not punishable by imprisonment) to VWPRF.

Court costs are imposed on a defendant convicted of a crime in the amount of \$45 for the circuit court and \$35 for the District Court. Court costs, in the amount of \$3, are imposed on a defendant convicted of certain motor vehicle offenses in the District Court. The Comptroller deposits \$22.50 from each fee collected in circuit court and \$12.50 from each fee collected in District Court (excluding fees from motor vehicle cases that are not punishable by imprisonment) into the State Victims of Crime Fund (SVCF), a special fund used for carrying out statutory guidelines for treatment and assistance to victims of crime and delinquent acts. The State Board of Victims Services in GOCPYVS is responsible for administering the fund. All other monies from these fees are deposited into the Criminal Injuries Compensation Fund (CICF).

CICF and SVCF share the first \$500,000 attained from the \$3 assessed in the District Court for motor vehicle cases that are not punishable by imprisonment. After the \$500,000 threshold is reached and each fund has acquired \$250,000, CICF receives the remainder of funding from these fees.

In addition to monies transferred to CICF under the Criminal Injuries Compensation Act, the Comptroller is required to annually transfer \$500,000 to CICF and \$125,000 to VWPRF, which must be in addition to the transfers cited above and which is also drawn from court costs in criminal and traffic cases in the District Court.

The fiscal 2024 budget as introduced includes \$300,000 for VWPRF. In addition, \$3.3 million in federal funds and \$1.9 million in special funds is included for the Criminal Injuries Compensation Board and approximately \$3.3 million in special funds is included for CICF.

State Fiscal Effect: General fund expenditures increase by \$10.0 million annually beginning in fiscal 2024 to capitalize the Gun Violence Victim Relocation Fund, although the bill only mandates funding in fiscal 2025. Funding in other years is discretionary. However, based on information provided by GOCPYVS, an estimated 400 eligible individuals likely request to participate in the program each year; thus, it is reasonable to assume that \$10.0 million could be spent each year under the program.

Special fund revenues to and expenditures from the fund increase correspondingly each year, reflecting receipt of the general funds and spending from the fund (to provide

assistance to eligible victims and to pay administrative costs incurred by GOCPYVS, as discussed below).

Because the bill states that the fund is to be used to carry out the purpose of the bill, it is assumed that the special fund can be used to cover costs incurred by GOCPYVS to administer the program. GOCPYVS administrative expenditures increase by *at least* \$1.4 million in fiscal 2024, which reflects the bill’s July 1, 2023 effective date. This estimate reflects costs for VSU to hire 15 employees (one program administrator, seven relocation specialists, three staff attorneys, and four social workers) to manage the program and fund, work with the oversight commission, provide assistance to eligible victims, and generally implement the bill. It includes salaries, fringe benefits, one-time start-up costs (including contractual services), and ongoing operating expenses.

Positions	15.0
Salaries and Fringe Benefits	\$1,274,299
Contractual Services	2,000
Other Operating Expenses	<u>115,110</u>
Minimum FY 2024 Admin. Expenditures	\$1,391,409

Future year administrative expenditures, which range from \$1.3 million in fiscal 2025 to \$1.4 million by fiscal 2028, reflect salaries with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

This estimate does not include any costs for rental space to house the additional staff, vehicles to transport staff to locations to meet with victims, or other travel expenses that are likely necessary. As a result, administrative costs could be significantly higher.

Based on the *minimum* administrative costs estimated above, approximately \$8.6 million of the \$10.0 million in annual program funding is available to provide assistance to eligible victims each year over the five-year period covered by this fiscal and policy note.

Other Agencies

OLA, the Department of State Police, the Department of Housing and Community Development, and the Department of Human Services can handle the bill’s requirements with existing budgeted resources.

Local Fiscal Effect: Local government expenditures may increase minimally for local agencies, including law enforcement agencies, housing authorities, and social services agencies, to provide comprehensive services to victims in the program in collaboration with VSU. Local government revenues may increase minimally to the extent any funds are provided for those services from the Gun Violence Victim Relocation Program Fund.

Small Business Effect: There is a potential meaningful impact for small businesses to the extent that victims use funding received from the program for the services of small businesses.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 921 (Senator McCray) - Rules.

Information Source(s): Baltimore, Charles, and Garrett counties; Maryland Association of Counties; City of Laurel; Maryland Municipal League; Governor's Office of Crime Prevention, Youth, and Victim Services; Department of Budget and Management; Department of Housing and Community Development; Department of Human Services; Department of State Police; Department of Legislative Services

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