

Department of Legislative Services  
Maryland General Assembly  
2023 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1028 (Delegate Amprey)  
Environment and Transportation

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Department of State Police - Training Facilities With Firearm Range - Location

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This bill establishes the intent of the General Assembly that the Department of State Police (DSP) may not locate a training facility with a firearm range near any building, grounds, parking lot, or open space owned or occupied by a hospital, educational facility, State or local correctional facility or a juvenile facility. In fiscal 2025 through 2029, the Governor must include in the annual budget bill an amount sufficient for the planning and construction of a DSP training facility that satisfies that intent. By December 15, 2023, and each December 15 through December 15, 2029, DSP must submit a report to the Governor and the General Assembly on specified information relating to training facilities and firearm ranges. **The bill takes effect July 1, 2023, and terminates June 30, 2030.**

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Fiscal Summary

**State Effect:** General fund expenditures increase by \$110,000 in FY 2024 only for contractual services for DSP to complete the first annual report. Potential significant increase in pay-as-you-go (PAYGO) general fund expenditures for DSP to construct a training facility that meets the stated intent, as discussed below. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** Minimal or none.

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Analysis

**Bill Summary:** The required report must include:

- the total number of training facilities with firearm ranges owned or used by DSP near a hospital, an educational facility, a State or local correctional facility, or a juvenile facility;

- the cost to relocate or replace such a facility to an area away from such locations;
- data on trauma and related outcomes due to the location of firearm ranges near a hospital, an educational facility, a State or local correctional facility, or a juvenile facility;
- gunshot decibel and distance thresholds for physical and mental health and safety; and
- the feasibility of temporarily relocating firearm range training by DSP to Greenbury Point at the U.S. Naval Academy in Annapolis.

**Current Law:** DSP must make its training facilities available to any law enforcement agency of the State and to the Maryland Police Training and Standards Commission (MPTSC) to the extent that the training facilities and employees of DSP are available. The Secretary of State Police must adopt rules to govern the extent to which DSP training facilities may be used, the course of training, and the qualifications of individuals who will use the training facilities.

Generally, training for the certification of law enforcement officers in the State may be conducted at MPTSC facilities or at any of 20 police training academies in the State certified by MPTSC. MPTSC operates approved police training schools and prescribes standards for and certifies schools that offer police and security training. In consultation and cooperation with various entities, MPTSC also sets minimum qualifications for instructors and certifies qualified instructors for approved training schools

### **State Expenditures:**

#### *Funding for Training Facility and the General Assembly's Intent*

The bill requires the Governor to include in the annual budget bill, for fiscal 2025 through 2029, an appropriation sufficient for the planning and construction of a DSP training facility that satisfies the intent of the General Assembly established in the bill regarding where a training facility with a firearm range may be located. However, the bill's language does not meet the requirements necessary to establish a mandated appropriation. Generally, any legislation mandating funding must include either an exact dollar figure or a funding formula that makes it possible to compute the level of funding required. Accordingly, any funding is discretionary.

DSP currently does not own a training facility with a firearm range. DSP currently leases space from Baltimore City that does not include an indoor firearm range and uses other facilities under agreements with other agencies and entities. To the extent that DSP constructs a training facility that meets the intent expressed in the bill, the cost is significant. DSP advises that costs to construct such a facility could total approximately

\$20.0 million. The Department of Legislative Services (DLS) cannot independently verify that estimate at this time.

Generally, State construction projects are either funded with general obligation debt in the capital budget or with PAYGO general funds through the operating budget. The General Assembly cannot mandate funding in the capital budget. The State's capital program is determined annually through the capital budget process subject to debt affordability limits. As total spending is fixed each year, to the extent that a new project is added to the program, other projects may receive less funding, be delayed, or get canceled.

The General Assembly may, however, establish a mandated appropriation in the operating budget, in which case PAYGO general funds are used. If funding is provided through the operating budget, PAYGO general fund expenditures increase significantly for DSP to construct a training facility that meets the intent expressed in the bill.

### *Annual Report*

While DSP is able to provide most of the required information in the annual report, the department does not have any expertise in collecting or reporting on data relating to trauma outcomes or gunshot decibel and distance thresholds for physical and mental health and safety. Therefore, contractual services are needed at a cost of \$110,000 in fiscal 2024 only. While DSP advises that it incurs costs for contractual services in the out-years, DLS advises that the need for ongoing contractual services is unclear. To the extent that additional contractual services are necessary, DSP can request additional resources through the annual budget process.

**Additional Comments:** DSP conducts firearms training at seven ranges around the State, but only one is under the control of DSP through a lease agreement with Baltimore City. The other six ranges are used by DSP through mutual agreements with the Division of Corrections, the Department of Natural Resources, the Harford County Sheriff's Office, and the U.S. Navy.

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## **Additional Information**

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

**Designated Cross File:** None.

**Information Source(s):** Department of Budget and Management; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

**Fiscal Note History:** First Reader - March 8, 2023  
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