

SENATE BILL 439

D4

4r1773
CF HB 656

By: **Senators Elfreth, Hettleman, Kelly, ~~and Salling~~ Salling, and Jackson**

Introduced and read first time: January 22, 2024

Assigned to: Judicial Proceedings and Budget and Taxation

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: February 27, 2024

CHAPTER _____

1 AN ACT concerning

2 **Family Law – Victims of Domestic Violence Program – Certification and Grant**
3 **Fund**

4 FOR the purpose of requiring a victims of domestic violence program to be certified by the
5 federally recognized State domestic violence coalition as a comprehensive domestic
6 violence program; establishing the Victims of Domestic Violence Program Grant
7 Fund as a special, nonlapsing fund in the Governor’s Office of Crime Prevention,
8 Youth, and Victim Services; requiring interest earnings of the Fund to be credited to
9 the Fund; and generally relating to the victims of domestic violence program.

10 BY repealing and reenacting, with amendments,
11 Article – Family Law
12 Section 4–515 and 4–516
13 Annotated Code of Maryland
14 (2019 Replacement Volume and 2023 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – State Finance and Procurement
17 Section 6–226(a)(2)(i)
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2023 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – State Finance and Procurement
22 Section 6–226(a)(2)(ii)189. and 190.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
2 (2021 Replacement Volume and 2023 Supplement)

3 BY adding to
4 Article – State Finance and Procurement
5 Section 6–226(a)(2)(ii)191.
6 Annotated Code of Maryland
7 (2021 Replacement Volume and 2023 Supplement)

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

10 **Article – Family Law**

11 4–515.

12 (a) (1) The Executive Director shall establish a program in the Governor’s
13 Office of Crime Prevention, Youth, and Victim Services to help victims of domestic violence
14 and their children.

15 (2) The purpose of the program is to provide for victims of domestic violence
16 and their children, in each region of this State:

17 (i) temporary shelter or help in obtaining shelter;

18 (ii) counseling;

19 (iii) information;

20 (iv) referral; and

21 (v) rehabilitation.

22 (b) As a part of the domestic violence program, there shall be, in a major
23 population center of this State, at least 1 program serving the area.

24 (c) Any program established under this section shall be subject to the following
25 conditions:

26 (1) the program shall provide victims of domestic violence and their
27 children with a temporary home and necessary counseling;

28 (2) the Governor’s Office of Crime Prevention, Youth, and Victim Services
29 shall:

30 (i) supervise the program;

1 (ii) set standards of care and admission policies;

2 (iii) monitor the operation of the program and annually evaluate the
3 effectiveness of the program;

4 (iv) adopt rules and regulations that set fees for services at and
5 govern the operation of each program; and

6 (v) regularly consult, collaborate with, and consider the
7 recommendations of the federally recognized State domestic violence coalition regarding
8 domestic violence programs and policies, practices, and procedures that impact victims of
9 domestic violence and their children;

10 (3) the program shall accept from the police or any other referral source in
11 the community any victim of domestic violence and the child of any victim of domestic
12 violence; [and]

13 (4) housing may not be provided under this subtitle to an applicant for
14 housing who is not a resident of this State at the time the application for housing is made;
15 **AND**

16 **(5) THE PROGRAM SHALL BE CERTIFIED BY THE FEDERALLY**
17 **RECOGNIZED STATE DOMESTIC VIOLENCE COALITION AS A COMPREHENSIVE**
18 **DOMESTIC VIOLENCE PROGRAM.**

19 [(d) (1) As funds become available, the Executive Director may extend the
20 domestic violence program to other areas in this State.

21 (2) Expansion of the domestic violence program may include:

22 (i) establishing additional shelters; or

23 (ii) providing funds and technical assistance to a local organization
24 or agency that shows that it is able and willing to run a domestic violence program.]

25 4-516.

26 (a) Subject to § 2-1257 of the State Government Article, the Executive Director
27 shall submit to the General Assembly a report on the domestic violence program annually.

28 [(b) In addition to receiving funds from the annual budget, the Executive Director
29 shall attempt to secure funding, including in-kind contributions, for the establishment and
30 operation of the domestic violence program from:

31 (1) the federal government;

1 (2) local governments; and

2 (3) private sources.]

3 (B) (1) IN THIS SUBSECTION, "FUND" MEANS THE VICTIMS OF DOMESTIC
4 VIOLENCE PROGRAM GRANT FUND.

5 (2) THERE IS A VICTIMS OF DOMESTIC VIOLENCE PROGRAM GRANT
6 FUND.

7 (3) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO PUBLIC
8 OR PRIVATE NONPROFIT COMPREHENSIVE DOMESTIC VIOLENCE PROGRAMS
9 CERTIFIED BY THE FEDERALLY RECOGNIZED STATE DOMESTIC VIOLENCE
10 COALITION.

11 (4) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND
12 VICTIM SERVICES SHALL:

13 (I) ADMINISTER THE FUND; AND

14 (II) ESTABLISH PROCEDURES TO AWARD GRANTS FROM THE
15 FUND.

16 (5) GRANTS MAY BE USED BY PROGRAMS CERTIFIED BY THE
17 FEDERALLY RECOGNIZED STATE DOMESTIC VIOLENCE COALITION FOR PROGRAM
18 OPERATIONS, INCLUDING ESTABLISHING ADDITIONAL SHELTERS.

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

21 (II) THE STATE TREASURER SHALL HOLD THE FUND
22 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

23 (7) THE FUND CONSISTS OF:

24 (I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE
25 FUND;

26 (II) ANY INTEREST EARNINGS OF THE FUND; AND

27 (III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED
28 FOR THE BENEFIT OF THE FUND.

1 **(8) THE EXECUTIVE DIRECTOR SHALL ATTEMPT TO SECURE**
2 **FUNDING FOR THE FUND, INCLUDING IN-KIND CONTRIBUTIONS, FROM:**

3 **(I) THE FEDERAL GOVERNMENT;**

4 **(II) LOCAL GOVERNMENTS; AND**

5 **(III) PRIVATE SOURCES.**

6 **(9) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO PUBLIC**
7 **OR PRIVATE NONPROFIT COMPREHENSIVE DOMESTIC VIOLENCE PROGRAMS**
8 **CERTIFIED BY THE FEDERALLY RECOGNIZED STATE DOMESTIC VIOLENCE**
9 **COALITION.**

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

12 **(II) ANY INTEREST EARNING OF THE FUND SHALL BE CREDITED**
13 **TO THE FUND.**

14 **(11) THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN**
15 **APPROPRIATION ANNUALLY OF \$5,000,000 TO THE FUND.**

16 **Article – State Finance and Procurement**

17 6–226.

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

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

26 189. the Teacher Retention and Development Fund; [and]

27 190. the Protecting Against Hate Crimes Grant Fund; AND

28 **191. THE VICTIMS OF DOMESTIC VIOLENCE PROGRAM**
29 **GRANT FUND.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.