

# HOUSE BILL 58

J1, E4

(PRE-FILED)

5lr0124  
CF SB 206

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By: **Chair, Judiciary Committee (By Request – Departmental – Office of Crime Prevention and Policy)**

Requested: September 29, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Rape Kit Collection, Testing, and Tracking Grant Fund**  
3 **– Alterations**

4 FOR the purpose of altering the name, purpose, and use of the Rape Kit Testing Grant  
5 Fund; and generally relating to the Rape Kit Collection, Testing, and Tracking Grant  
6 Fund.

7 BY repealing and reenacting, with amendments,  
8 Article – Public Safety  
9 Section 4–401  
10 Annotated Code of Maryland  
11 (2022 Replacement Volume and 2024 Supplement)

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

14 **Article – Public Safety**

15 4–401.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) “Forensic laboratory” means a facility, an entity, or a site that offers or  
18 performs forensic analysis and is owned or operated by the State, a county or municipal  
19 corporation in the State, or another governmental entity.

20 (3) “Fund” means the Rape Kit **COLLECTION, Testing, AND TRACKING**  
21 Grant Fund.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) "Law enforcement agency" means the Department of State Police or a  
2 police department of a county or municipal corporation in the State.

3 (5) "RN-FNE" MEANS A REGISTERED NURSE – FORENSIC NURSE  
4 EXAMINER CERTIFIED BY THE STATE BOARD OF NURSING.

5 (b) There is a Rape Kit **COLLECTION, Testing, AND TRACKING** Grant Fund.

6 (c) (1) The purpose of the Fund is to provide law enforcement agencies with  
7 **MULTIYEAR** funding to pay for testing of sexual assault evidence collection kits [by forensic  
8 laboratories].

9 (2) **THE FUND MAY BE USED FOR EQUIPMENT, SUPPLIES,  
10 PERSONNEL, AND OUTSOURCING NECESSARY TO TEST SEXUAL ASSAULT EVIDENCE  
11 COLLECTION KITS COLLECTED BEFORE OR AFTER THE ESTABLISHMENT OF THE  
12 FUND.**

13 (d) The Executive Director of the Governor's Office of Crime Prevention and  
14 Policy shall:

15 (1) administer the Fund;

16 (2) establish and publish procedures for the distribution of funding to [law  
17 enforcement agencies] **ELIGIBLE RECIPIENTS OF THE FUND;**

18 (3) ensure each jurisdiction in the State that has a forensic laboratory is  
19 able to access the Fund;

20 (4) consider the number of sexual assault incidents that were investigated  
21 by a law enforcement agency in the prior fiscal year when distributing funding; and

22 (5) submit a report with information on the distribution of funding to the  
23 General Assembly, in accordance with § 2-1257 of the State Government Article, before  
24 [September] **OCTOBER** 1 each year.

25 (e) (1) **THE GOVERNOR'S OFFICE OF CRIME PREVENTION AND POLICY  
26 MAY USE UP TO 5% OF THE FUND FOR ADMINISTRATIVE PURPOSES.**

27 (2) **AFTER DISTRIBUTING FUNDING TO PAY FOR TESTING, THE  
28 GOVERNOR'S OFFICE OF CRIME PREVENTION AND POLICY MAY PROVIDE GRANTS  
29 TO:**

30 (I) **LAW ENFORCEMENT AGENCIES TO FUND AN INCREASE IN  
31 THE SEXUAL ASSAULT EVIDENCE COLLECTION KIT TESTING CAPACITY OF**

1 LABORATORIES, INCLUDING TECHNOLOGICAL AND, SUBJECT TO TITLE 3, SUBTITLE  
2 6 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, PHYSICAL  
3 IMPROVEMENTS;

4 (II) SUPPORT EFFORTS TO ENTER SEXUAL ASSAULT EVIDENCE  
5 COLLECTION KITS INTO THE REPORTING PROGRAM UNDER § 11-926.1 OF THE  
6 CRIMINAL PROCEDURE ARTICLE;

7 (III) HOSPITALS FOR THE HIRING OF RN-FNE POSITIONS; AND

8 (IV) HOSPITALS OR NONPROFIT ORGANIZATIONS TO PAY FOR  
9 TRAINING, TRAINING MATERIALS, AND OTHER RESOURCES REQUIRED FOR THE  
10 RN-FNE CERTIFICATION.

11 (F) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of  
12 the State Finance and Procurement Article.

13 (2) The State Treasurer shall hold the Fund separately, and the  
14 Comptroller shall account for the Fund.

15 [(f)] (G) The Fund consists of:

16 (1) money appropriated in the State budget to the Fund;

17 (2) any interest earnings of the Fund; and

18 (3) any other money from any other source accepted for the benefit of the  
19 Fund.

20 [(g)] (1) The Fund may be used only for equipment, supplies, personnel, and  
21 outsourcing necessary for the testing of sexual assault evidence collection kits in forensic  
22 laboratories.

23 (2) Subject to paragraph (1) of this subsection, the Fund may be used for  
24 equipment, supplies, personnel, and outsourcing necessary for the testing of sexual assault  
25 evidence collection kits collected before or after the establishment of the Fund.]

26 (h) (1) The State Treasurer shall invest the money of the Fund in the same  
27 manner as other State money may be invested.

28 (2) Any interest earnings of the Fund, including interest earnings under  
29 subsection [(f)] (G) of this section, shall be credited to the Fund.

30 (i) Expenditures from the Fund may be made only in accordance with the State  
31 budget.

1           (j) Money expended from the Fund for testing of sexual assault evidence  
2 collection kits is supplemental to and is not intended to take the place of funding that  
3 otherwise would be appropriated for testing of sexual assault evidence collection kits.

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2025.