

SENATE BILL 343

E2
SB 617/24 – JPR

5lr1626
CF 5lr1869

By: **Senator Sydnor**

Introduced and read first time: January 16, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 25, 2025

CHAPTER _____

1 AN ACT concerning

2 **State's Attorneys – Reconstitution of Task Force ~~and Establishment of Case~~**
3 **~~Management System Grant Fund~~ to Study Transparency Standards for State's**
4 **Attorneys**

5 FOR the purpose of ~~establishing the State's Attorney Case Management System Grant~~
6 ~~Fund~~; reconstituting the Task Force to Study Transparency Standards for State's
7 Attorneys; and generally relating to the ~~State's Attorney Case Management System~~
8 ~~Grant Fund and the~~ Task Force to Study Transparency Standards for State's
9 Attorneys.

10 ~~BY adding to~~
11 ~~Article – Criminal Procedure~~
12 ~~Section 15-501 through 15-503 to be under the new subtitle “Subtitle 5. State's~~
13 ~~Attorney Case Management System Grant Fund”~~
14 ~~Annotated Code of Maryland~~
15 ~~(2018 Replacement Volume and 2024 Supplement)~~

16 ~~BY repealing and reenacting, without amendments,~~
17 ~~Article – State Finance and Procurement~~
18 ~~Section 6-226(a)(2)(i)~~
19 ~~Annotated Code of Maryland~~
20 ~~(2021 Replacement Volume and 2024 Supplement)~~

21 ~~BY repealing and reenacting, with amendments,~~
22 ~~Article – State Finance and Procurement~~

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.



~~Section 6-226(a)(2)(ii)204. and 205.
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)~~

~~BY adding to~~

~~Article—State Finance and Procurement
Section 6-226(a)(2)(ii)206.
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)~~

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

~~**Article—Criminal Procedure**~~

~~**SUBTITLE 5. STATE'S ATTORNEY CASE MANAGEMENT SYSTEM GRANT FUND.**~~

~~**15-501.**~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.~~

~~(B) "CASE MANAGEMENT SYSTEM" MEANS AN ELECTRONIC PROGRAM THAT
IS CAPABLE OF COLLECTING DATA ABOUT ARRESTS, CHARGING DECISIONS, AND
OTHER INFORMATION ABOUT A CASE HANDLED BY A STATE'S ATTORNEY.~~

~~(C) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
GOVERNOR'S OFFICE OF CRIME PREVENTION AND POLICY.~~

~~(D) "FUND" MEANS THE STATE'S ATTORNEY CASE MANAGEMENT SYSTEM
GRANT FUND.~~

~~**15-502.**~~

~~(A) THERE IS A STATE'S ATTORNEY CASE MANAGEMENT SYSTEM GRANT
FUND.~~

~~(B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO STATE'S
ATTORNEYS' OFFICES TO ESTABLISH OR IMPROVE CASE MANAGEMENT SYSTEMS.~~

~~(C) THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE FUND.~~

~~(D) (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 IN CONJUNCTION WITH THE EXECUTIVE DIRECTOR.~~

~~(E) THE FUND CONSISTS OF:~~

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

~~(2) INTEREST EARNINGS OF THE FUND; AND~~

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

~~(F) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO STATE'S ATTORNEYS' OFFICES TO ESTABLISH OR IMPROVE CASE MANAGEMENT SYSTEMS.~~

~~(G) (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 SHALL BE CREDITED TO THE FUND.~~

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

~~(I) THE ACCOUNTS AND TRANSACTIONS OF THE FUND SHALL BE SUBJECT TO AUDIT BY THE LEGISLATIVE AUDITOR AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.~~

~~15-503.~~

~~(A) THE EXECUTIVE DIRECTOR SHALL:~~

~~(1) ESTABLISH PROCEDURES FOR STATE'S ATTORNEYS' OFFICES TO APPLY FOR AND RECEIVE GRANTS FROM THE FUND; AND~~

~~(2) SOLICIT GRANT PROPOSALS FROM STATE'S ATTORNEYS' OFFICES.~~

~~(B) A STATE'S ATTORNEY'S OFFICE THAT APPLIES FOR A GRANT FROM THE FUND SHALL PROVIDE THE EXECUTIVE DIRECTOR WITH:~~

~~(1) A DESCRIPTION OF THE CASE MANAGEMENT SYSTEM THAT THE STATE'S ATTORNEY'S OFFICE SEEKS TO ESTABLISH OR THE IMPROVEMENTS THAT~~

1 ~~THE STATE'S ATTORNEY'S OFFICE SEEKS TO MAKE TO AN EXISTING CASE~~
2 ~~MANAGEMENT SYSTEM; AND~~

3 ~~(2) ANY OTHER INFORMATION THAT THE EXECUTIVE DIRECTOR~~
4 ~~CONSIDERS NECESSARY.~~

5 ~~(C) THE EXECUTIVE DIRECTOR SHALL MAKE GRANTS FROM THE FUND TO~~
6 ~~STATE'S ATTORNEYS' OFFICES FOR THE ESTABLISHMENT OR IMPROVEMENT OF~~
7 ~~CASE MANAGEMENT SYSTEMS.~~

8 ~~(D) A STATE'S ATTORNEY'S OFFICE THAT RECEIVES A GRANT FROM THE~~
9 ~~FUND SHALL SUBMIT TO THE EXECUTIVE DIRECTOR PROOF OF THE EXPENDITURE~~
10 ~~OF THE GRANT FUNDS.~~

11 ~~(E) MONEY DISTRIBUTED UNDER THIS SUBTITLE SHALL BE USED TO~~
12 ~~SUPPLEMENT AND NOT SUPPLANT ANY OTHER FUNDING FOR THE ESTABLISHMENT~~
13 ~~OR IMPROVEMENT OF A CASE MANAGEMENT SYSTEM.~~

14 ~~Article State Finance and Procurement~~

15 ~~6-226.~~

16 ~~(a) (2) (i) 1. This subparagraph does not apply in fiscal years 2024~~
17 ~~through 2028.~~

18 ~~2. 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 ~~204. the Victims of Domestic Violence Program Grant Fund;~~

27 ~~[and]~~

28 ~~205. the Proposed Programs Collaborative Grant Fund; AND~~

29 ~~206. THE STATE'S ATTORNEY CASE MANAGEMENT~~
30 ~~SYSTEM GRANT FUND.~~

31 ~~SECTION 2. AND BE IT FURTHER ENACTED SECTION 1. BE IT ENACTED BY~~
32 ~~THE GENERAL ASSEMBLY OF MARYLAND, That:~~

1 (a) There is a Task Force to Study Transparency Standards for State's Attorneys.

2 (b) The Task Force consists of the following members:

3 (1) two members of the Senate of Maryland and two members of the
4 community, appointed by the President of the Senate;

5 (2) two members of the House of Delegates and two members of the
6 community, appointed by the Speaker of the House;

7 (3) the President of the Maryland State's Attorneys' Association, or the
8 President's designee;

9 (4) the Executive Director of the Maryland State Commission on Criminal
10 Sentencing Policy, or the Executive Director's designee;

11 (5) one representative of the Administrative Office of the Courts, appointed
12 by the Chief Justice of the Supreme Court of Maryland;

13 (6) one representative of the Vera Institute of Justice, appointed by the
14 Governor;

15 (7) the Chair of the Attorney Grievance Commission, or the Chair's
16 designee;

17 (8) one representative of a crime victims' advocacy group, appointed by the
18 Governor;

19 (9) the Executive Director of the Governor's Office of Crime Prevention and
20 Policy, or the Executive Director's designee;

21 (10) the Attorney General, or the Attorney General's designee;

22 (11) the Public Defender of Maryland, or the Public Defender's designee; and

23 (12) one expert on data and transparency standards, appointed by the
24 Governor.

25 (c) The President of the Senate and the Speaker of the House shall each designate
26 one cochair of the Task Force.

27 (d) The Department of Legislative Services shall provide staff for the Task Force.

28 (e) A member of the Task Force:

29 (1) may not receive compensation as a member of the Task Force; but

1 (2) is entitled to reimbursement for expenses under the Standard State
2 Travel Regulations, as provided in the State budget.

3 (f) (1) The Task Force shall study the possibility of establishing minimum
4 transparency standards for State's Attorneys.

5 (2) In conducting its study, the Task Force shall:

6 (i) develop processes by which prosecutors can collect information
7 and determine what information should be made public and what information may be kept
8 private; ~~and~~

9 (ii) examine any existing policies of State's Attorneys' offices across
10 the State relating to the transparency of data, the charging of crimes, and sentencing; and

11 (iii) identify sustainable funding sources to implement
12 recommendations made by the Task Force, including recommendations made by the Task
13 Force's predecessor Task Force established under Chapter 141 of the Acts of the General
14 Assembly of 2022.

15 (g) On or before December 31 each year beginning December 31, 2025, the Task
16 Force shall report its findings and recommendations to the Senate Judicial Proceedings
17 Committee and the House Judiciary Committee in accordance with § 2-1257 of the State
18 Government Article.

19 SECTION ~~3~~ 2. AND BE IT FURTHER ENACTED, That it is the intent of the
20 General Assembly that the Governor appoint to the Task Force to Study Transparency
21 Standards for State's Attorneys those individuals who formerly were appointed to the
22 predecessor Task Force established under Chapter 141 of the Acts of the General Assembly
23 of 2022 and who were serving on the Task Force as of June 30, 2024, in addition to the
24 member required to be part of the Task Force under item (12) of subsection (b) of Section ~~2~~
25 1 of this Act.

26 SECTION ~~4~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 2025. ~~Section 2 of this Act~~ It shall remain effective for a period of 3 years and, at
28 the end of June 30, 2028, ~~Section 2 of~~ this Act, with no further action required by the
29 General Assembly, shall be abrogated and of no further force and effect.