

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 904
Judiciary

(Delegate Moon, *et al.*)

Law Enforcement - Protective Body Armor - Requirements and Reporting

This bill (1) prohibits a law enforcement agency from assigning a law enforcement officer to duties other than administrative duties unless the officer is issued protective body armor; (2) establishes requirements for the issuance and replacement of protective body armor; and (3) establishes provisions relating to the failure of a law enforcement agency to replace protective body armor as required by the bill.

Fiscal Summary

State Effect: General fund expenditures for the Maryland Department of Health (MDH) increase by \$55,300 in FY 2027; otherwise, the bill's changes are not anticipated to materially affect State operations or finances during the five-year period covered by this fiscal and policy note, as discussed below.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	55,300	0	0	0	0
Net Effect	(\$55,300)	\$0	\$0	\$0	\$0

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

Local Effect: The bill's changes are not anticipated to materially affect local government operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: A law enforcement agency may issue only protective body armor to a law enforcement officer that (1) conforms to all current National Institute of Justice Ballistic Resistance of Body Armor standards and (2) has not reached the expiration or suggested replacement date indicated by the manufacturer of the protective body armor. A law enforcement agency must replace protective body armor before the expiration or suggested replacement date indicated by the manufacturer.

If a law enforcement agency has not replaced a law enforcement officer's protective body armor by the 31st day after the expiration or suggested replacement date indicated by the manufacturer, the law enforcement agency must promptly notify the Maryland Police Training and Standards Commission (MPTSC). MPTSC must then notify the Governor's Office of Crime Prevention and Policy (GOCPP) regarding the failure. After receiving notification from MPTSC, GOCPP must withhold grant funds available to the law enforcement agency until the law enforcement agency provides proof that the agency has issued replacement protective body armor that meets the bill's requirements. In addition, GOCPP may not disburse funds to a law enforcement agency if, in the immediately preceding fiscal year, the law enforcement agency (1) failed to notify MPTSC as required by the bill or (2) notified MPTSC on three or more occasions in accordance with the bill's provisions.

Current Law: "Protective body armor" means a vest or similar article that is:

- designed to be worn on the body to protect against blunt force trauma associated with the impact of a firearm projectile; and
- manufactured of bullet resistant fabric that conforms to applicable, current National Institute of Justice standards and V-50 ballistic testing requirements.

The Protective Body Armor Fund is a special fund administered by the Executive Director of GOCPP. The purposes of the fund are to:

- assist local law enforcement agencies to (1) acquire protective body armor for each police officer of the local law enforcement agency and (2) replace protective body armor at least every 10 years, or sooner if testing indicates a need for replacement; and
- when the above purpose has been fulfilled, assist the Division of Parole and Probation (DPP) in the Department of Public Safety and Correctional Services to acquire protective body armor for its agents, as specified.

The fund consists of money appropriated in the State budget to the fund. A local law enforcement agency and DPP may use State money provided from the fund only to purchase or replace protective body armor.

In accordance with the State budget, grants to local law enforcement agencies are made based on the comparative needs of each local law enforcement agency as determined by the following criteria:

- the number of violent crime incidents committed within the jurisdiction of the local law enforcement agency for the last two years;
- the current number of sworn officers;
- the current number of sworn officers not assigned protective body armor;
- the number and age of protective body armor units currently in use by the local law enforcement agency;
- the number of protective body armor units requested for officers not currently assigned protective body armor and for officers assigned protective body armor in need of replacement due to age or wear;
- the regulations of the local law enforcement agency that relate to the use of protective body armor;
- the local law enforcement agency's budget request for supplies and equipment for the current and last two fiscal years; and
- any other information that the Executive Director considers necessary to make grants for protective body armor.

A single grant may not initially exceed 10% of the total money budgeted in the fund for any fiscal year. After the initial allocation of money, the Executive Director may distribute any money remaining in the fund on an equitable basis, as determined by the same criteria. After the allocations are made to eligible local law enforcement agencies, the Executive Director may distribute any of the money remaining in the fund to DPP to assist the division to acquire protective body armor for its agents.

A local law enforcement agency must use the money distributed from the fund as an addition to and not as a substitute for money appropriated from sources other than the fund to acquire or replace protective body armor. Each local law enforcement agency must spend money from its own sources to acquire or replace protective body armor in an amount at least equal to the amount of State money awarded from the fund. After a local law enforcement agency receives notice from the Executive Director of a grant, the local law enforcement agency must submit to the Executive Director proof of expenditures on protective body armor. After certifying the expenditures, the Executive Director may authorize the reimbursement of one-half of the local law enforcement agency's expenditures on protective body armor, up to a maximum of the amount of the grant.

State Expenditures: A limited survey of State law enforcement agencies indicates that law enforcement units within the Alcohol, Tobacco, and Cannabis Commission, the Department of State Police (DSP), the Comptroller's Office, the Department of Natural Resources, the Maryland Department of Labor, the Maryland Department of Transportation, the Maryland Transportation Authority, Morgan State University, and the University System of Maryland can handle the bill's requirements with existing budgeted resources.

However, MDH indicates that the department's Secured Transportation and Investigation Unit (STIU) assigned to MDH facilities currently works in conjunction with DSP and local law enforcement agencies for criminal investigations and other matters; thus, law enforcement officers within STIU are not currently assigned protective body armor. In order to meet the bill's requirements, MDH needs to purchase 45 protective body armor at an approximate cost of \$1,229 per vest; accordingly, general fund expenditures increase by \$55,305 in fiscal 2027. Because protective body armor typically has a service life of at least five years, routine replacement costs are likely not incurred until after the five-year period covered by this fiscal and policy note. Even so, MDH general fund expenditures increase in future years to replace protective body armor as necessary to meet the bill's requirements.

Additional Comments: According to the most recent Protective Body Armor Fund [Report](#), in fiscal 2024, GOCPP provided \$49,088 in funding to nine local law enforcement agencies for the combined purchase of 131 armor vests. The fiscal 2027 budget as introduced includes \$49,088 in general funds for the Protective Body Armor Fund.

Additional Information

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

Designated Cross File: SB 516 (Senator Waldstreicher) - Judicial Proceedings.

Information Source(s): Calvert and Prince George's counties; City of Annapolis; Town of Elkton; Maryland Municipal League; Alcohol, Tobacco, and Cannabis Commission; Comptroller's Office; Governor's Office of Crime Prevention and Policy; Baltimore City Community College; University System of Maryland; Morgan State University; Maryland Department of Health; Maryland Department of Labor; Department of Natural Resources; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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