

Bill No.: _____
Requested: _____
Committee: _____

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By: **Leave Blank (By Request – Departmental – Office of Crime Prevention and Policy)**

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

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

(1) administer the Fund;

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

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

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

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

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

(2) AFTER ^{awarding} ~~DISTRIBUTING~~ FUNDING ^{under subsection (c)} ~~TO PAY FOR TESTING~~, THE GOVERNOR’S OFFICE OF CRIME PREVENTION AND POLICY ^{shall} ~~MAY PROVIDE GRANTS TO:~~ ^{award remaining funds to support:}

(I) ~~LAW ENFORCEMENT AGENCIES TO FUND AN INCREASE IN THE SEXUAL ASSAULT EVIDENCE COLLECTION KIT TESTING CAPACITY OF~~ ^{forensic} ~~LABORATORIES, INCLUDING TECHNOLOGICAL AND, SUBJECT TO TITLE 3, SUBTITLE 6 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, PHYSICAL IMPROVEMENTS;~~ ^{that do not rise to the level of capital improvements,}

(II) ~~SUPPORT EFFORTS TO ENTER SEXUAL ASSAULT EVIDENCE COLLECTION KITS INTO THE REPORTING PROGRAM UNDER § 11–926.1 OF THE CRIMINAL PROCEDURE ARTICLE;~~ ^{(1) notifications of victims and investigations of crimes associated with untested sexual assault evidence kits collected before January 1, 2020.} ^{(2) Funds distributed under this paragraph may be reduced if there is a federal sexual assault kit initiative award or a State appropriation for the same purposes. (3) This paragraph will remain in effect until the State sexual assault kit backlog is eliminated and all related investigations and notifications completed.}

(III) ~~HOSPITALS FOR THE HIRING OF RN–FNE POSITIONS; AND~~ ^{Efforts to expand access to sexual assault forensic exams.}

(IV) ~~HOSPITALS OR NONPROFIT ORGANIZATIONS TO PAY FOR TRAINING, TRAINING MATERIALS, AND OTHER RESOURCES REQUIRED FOR THE RN–FNE CERTIFICATION.~~

^{(f) After distributing funds under subsection (e)(2) and if there is no state appropriation or federal sexual assault kit initiative award for the same purpose, the Governor's Office of Crime Prevention and Policy may use remaining funds to support the reporting program required under § 11–926.1 of the Criminal Procedure Article.}

(G) (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.

[(f)] (H) The Fund consists of:

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

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

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

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

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

10 [(h)] (i) (1) The State Treasurer shall invest the money of the Fund in the same
11 manner as other State money may be invested.

12 (2) Any interest earnings of the Fund, including interest earnings under
13 subsection [(f)] ~~(g)~~ (h) of this section, shall be credited to the Fund.

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

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

19 July SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2025.