

# HOUSE BILL 1348

E4

(9lr3176)

## ENROLLED BILL

— Appropriations/Budget and Taxation —

Introduced by **Delegates Haynes, Chang, Corderman, Jackson, and McKay**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Safety – Markell Hendricks Youth Crime Prevention and Diversion**  
3 **Parole Fund – Establishment**

4 FOR the purpose of establishing the Markell Hendricks Youth Crime Prevention and  
5 Diversion Parole Fund as a special, nonlapsing fund; specifying the purpose, use,  
6 and contents of the Fund; requiring the Executive Director of the Governor’s Office  
7 of Crime Control and Prevention to administer the Fund; requiring the State  
8 Treasurer to hold the Fund separately and the Comptroller, in conjunction with the  
9 Executive Director, to account for the Fund; requiring the Governor to appropriate  
10 annually a certain amount for the Fund; providing for the investment of money in  
11 and expenditures from the Fund; providing that expenditures from the Fund may be  
12 made only in accordance with the State budget; providing that the accounts and  
13 transactions of the Fund shall be subject to a certain audit; requiring the Executive  
14 Director to establish certain procedures for the disbursement of money from the  
15 Fund and, subject to a certain priority, award grants from the Fund; requiring that

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#### 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.

*Italics indicate opposite chamber/conference committee amendments.*



1 an applicant provide the Executive Director with certain information; specifying that  
2 money distributed from the Fund shall be used to supplement, and not supplant,  
3 certain other funding; defining certain terms; and generally relating to the Markell  
4 Hendricks Youth Crime Prevention and Diversion Parole Fund.

5 BY adding to

6 Article – Public Safety

7 Section 4–1201 through 4–1203 to be under the new subtitle “Subtitle 12. Markell  
8 Hendricks Youth Crime Prevention and Diversion Parole Fund”

9 Annotated Code of Maryland

10 (2018 Replacement Volume)

11 BY repealing and reenacting, without amendments,

12 Article – State Finance and Procurement

13 Section 6–226(a)(2)(i)

14 Annotated Code of Maryland

15 (2015 Replacement Volume and 2018 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article – State Finance and Procurement

18 Section 6–226(a)(2)(ii)112. and 113.

19 Annotated Code of Maryland

20 (2015 Replacement Volume and 2018 Supplement)

21 BY adding to

22 Article – State Finance and Procurement

23 Section 6–226(a)(2)(ii)114.

24 Annotated Code of Maryland

25 (2015 Replacement Volume and 2018 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

27 That the Laws of Maryland read as follows:

28 **Article – Public Safety**

29 **SUBTITLE 12. MARKELL HENDRICKS YOUTH CRIME PREVENTION AND DIVERSION**  
30 **PAROLE FUND.**

31 **4–1201.**

32 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
33 **INDICATED.**

34 **(B) “EXECUTIVE DIRECTOR” MEANS THE EXECUTIVE DIRECTOR OF THE**  
35 **GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION.**

1 (C) "FUND" MEANS THE MARKELL HENDRICKS YOUTH CRIME  
2 PREVENTION AND DIVERSION PAROLE FUND.

3 (D) "LOCAL LAW ENFORCEMENT AGENCY" MEANS A POLICE DEPARTMENT  
4 OF A COUNTY OR MUNICIPALITY.

5 (E) "OFFENDER" HAS THE MEANING INDICATED IN § 6-101 OF THE  
6 CORRECTIONAL SERVICES ARTICLE.

7 4-1202.

8 (A) THERE IS A MARKELL HENDRICKS YOUTH CRIME PREVENTION AND  
9 DIVERSION PAROLE FUND.

10 (B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANT ASSISTANCE TO  
11 LOCAL LAW ENFORCEMENT AGENCIES TO ~~POLICE-HIGH-CRIME-AREAS~~ ADMINISTER:

12 (1) A DIVERSION PROGRAM UNDER § 3-8A-10(M)(2) OF THE COURTS  
13 ARTICLE; OR

14 (2) A YOUTH ENGAGEMENT PROGRAM OR EVENT IN A HIGH-CRIME  
15 AREA.

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

17 (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
18 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

19 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY  
20 AND THE COMPTROLLER, IN CONJUNCTION WITH THE EXECUTIVE DIRECTOR,  
21 SHALL ACCOUNT FOR THE FUND.

22 (E) (1) THE FUND CONSISTS OF:

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

25 (II) INVESTMENT EARNINGS OF THE FUND; AND

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

28 (2) THE GOVERNOR SHALL APPROPRIATE ANNUALLY AT LEAST  
29 ~~\$500,000~~ ~~\$100,000~~ \$50,000 FOR THE FUND.

1 (F) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO LOCAL LAW  
2 ENFORCEMENT AGENCIES ~~TO POLICE HIGH CRIME AREAS~~ FOR THE PURPOSES  
3 ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

4 (G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND  
5 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

6 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO  
7 THE FUND.

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

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

13 4-1203.

14 (A) (1) THE EXECUTIVE DIRECTOR SHALL ESTABLISH PROCEDURES FOR  
15 LOCAL LAW ENFORCEMENT AGENCIES TO APPLY FOR GRANTS FROM THE FUND.

16 (2) A LOCAL LAW ENFORCEMENT AGENCY THAT APPLIES FOR A  
17 GRANT FROM THE FUND SHALL PROVIDE THE EXECUTIVE DIRECTOR WITH ANY  
18 INFORMATION THE EXECUTIVE DIRECTOR DEEMS NECESSARY.

19 (B) THE EXECUTIVE DIRECTOR SHALL MAKE GRANTS FROM THE FUND TO  
20 LOCAL LAW ENFORCEMENT AGENCIES WITH PRIORITY GIVEN TO THOSE  
21 JURISDICTIONS WITH THE HIGHEST NUMBER OF OFFENDERS.

22 (C) MONEY DISBURSED FROM THE FUND SHALL BE USED TO SUPPLEMENT,  
23 AND NOT SUPPLANT, ANY OTHER FUNDING THAT WOULD OTHERWISE BE AVAILABLE  
24 TO LOCAL LAW ENFORCEMENT AGENCIES.

25 **Article – State Finance and Procurement**

26 6-226.

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

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

3 112. the Pretrial Services Program Grant Fund; [and]

4 113. the Veteran Employment and Transition Success Fund;

5 **AND**

6 **114. THE MARKELL HENDRICKS YOUTH CRIME**  
7 **PREVENTION AND DIVERSION PAROLE FUND.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
9 1, 2019.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.