

SENATE BILL 599

E4

1lr2807

By: ~~Senator Smith~~ **Senators Smith and West**

Introduced and read first time: January 29, 2021

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 17, 2021

CHAPTER _____

1 AN ACT concerning

2 ~~Public Safety – Surplus Military Equipment – Prohibition on Purchase by Law~~
3 ~~Enforcement Agencies~~
4 **Maryland Police Accountability Act of 2021 – Surplus Military Equipment**

5 FOR the purpose of prohibiting certain law enforcement agencies from receiving certain
6 equipment from a federal military surplus program; defining certain terms; and
7 generally relating to law enforcement agencies and the acquisition of equipment
8 from a federal military surplus program.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 3–521
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2020 Supplement)

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

16 **Article – Public Safety**

17 3–521.

18 (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.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(2) “DESTRUCTIVE DEVICE” HAS THE MEANING STATED IN § 4-501 OF**
2 **THE CRIMINAL LAW ARTICLE.**

3 **(3) “FIREARM SILENCER” HAS THE MEANING STATED IN § 5-621 OF**
4 **THE CRIMINAL LAW ARTICLE.**

5 **[(2)] (4)** “Law enforcement agency” has the meaning stated in § 3-201 of
6 this title.

7 **[(3)] (5)** “Surplus program” means a program operated by the federal
8 government for the transfer of surplus military equipment to a law enforcement agency.

9 (b) On or before February 1 each year, the Department of State Police shall
10 submit a report on the acquisition of equipment by law enforcement agencies through
11 surplus programs within the preceding calendar year to the Governor and, in accordance
12 with § 2-1257 of the State Government Article, the General Assembly.

13 (c) The Department of State Police shall include in a prominent location on its
14 public website a link to the Defense Logistics Agency’s report listing excess Department of
15 Defense property transfers to law enforcement agencies through the Law Enforcement
16 Support Office.

17 **(D) A LAW ENFORCEMENT AGENCY MAY NOT RECEIVE THE FOLLOWING**
18 **EQUIPMENT FROM A SURPLUS PROGRAM:**

19 **(1) ~~AN ARMORED OR~~ A WEAPONIZED:**

20 **(I) AIRCRAFT;**

21 **(II) DRONE; OR**

22 **(III) VEHICLE;**

23 **(2) A DESTRUCTIVE DEVICE;**

24 **(3) A FIREARM SILENCER; OR**

25 **(4) A GRENADE LAUNCHER.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2021.