

SENATE BILL 708

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CF HB 822

By: **Senator Carter**

Introduced and read first time: February 3, 2020

Assigned to: Judicial Proceedings and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Violence Intervention and Prevention Program Fund and Advisory**
3 **Council – Alterations**

4 FOR the purpose of requiring the Governor to include a certain appropriation to the
5 Maryland Violence Intervention and Prevention Program Fund in the annual budget
6 bill; requiring that the appropriation be composed of certain types of funds; altering
7 the amount of the Fund that may be used for certain evaluations; authorizing the
8 Fund to be used for certain administrative costs; altering certain duties of the
9 Maryland Violence Intervention and Prevention Advisory Council; requiring the
10 Executive Director of the Governor's Office of Crime Control and Prevention to
11 provide a certain notice regarding grant application availability; altering the
12 minimum grant application requirements; requiring the Executive Director to
13 forward all applications for grant awards to the Council for review and comment
14 within a certain time period; altering the preferences for the award of funds;
15 requiring the Executive Director, in consultation with the Council, to order a certain
16 evaluation of certain grantee programs and retain a sufficient number of evaluators
17 to maintain compliance with the evaluation requirement; providing for certain
18 evaluation requirements; defining a certain term; making conforming and technical
19 changes; and generally relating to the Maryland Violence Intervention and
20 Prevention Program Fund and Advisory Council.

21 BY repealing and reenacting, with amendments,
22 Article – Public Safety
23 Section 4–901 through 4–905
24 Annotated Code of Maryland
25 (2018 Replacement Volume and 2019 Supplement)

26 BY adding to
27 Article – Public Safety
28 Section 4–907
29 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2018 Replacement Volume and 2019 Supplement)

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

Article – Public Safety

4–901.

(a) In this subtitle the following words have the meanings indicated.

(b) “Council” means the Maryland Violence Intervention and Prevention Advisory
Council established under § 4–903 of this subtitle.

(c) “Evidence–based health program” means a program or an initiative that:

(1) is developed and evaluated through scientific research and data
collection;

(2) uses public health principles that demonstrate measurable positive
outcomes in preventing gun violence; and

(3) is implemented by a nonprofit organization or public agency.

(d) “Evidence–informed health program” means a program, an approach, or an
initiative that is:

(1) based on public health principles;

(2) capable of being studied and evaluated through research and data
collection;

(3) for the purpose of reducing gun violence;

(4) directed to influence factors determined to affect gun violence; and

(5) implemented by a nonprofit organization or public agency.

(e) “Executive Director” means the Executive Director of the Governor’s Office of
Crime Control and Prevention.

(f) “Fund” means the Maryland Violence Intervention and Prevention Program
Fund.

(g) **“HOSPITAL–BASED VIOLENCE INTERVENTION PROGRAM” MEANS A
VIOLENCE INTERVENTION PROGRAM THAT:**

1 **(1) IS OPERATED BY:**

2 **(I) A HOSPITAL; OR**

3 **(II) AN INDIVIDUAL OR ENTITY IN COLLABORATION WITH A**
4 **HOSPITAL; AND**

5 **(2) PROVIDES INTENSIVE COUNSELING, CASE MANAGEMENT, AND**
6 **SOCIAL SERVICES TO INDIVIDUALS WHO ARE RECOVERING FROM INJURIES**
7 **RESULTING FROM VIOLENCE.**

8 **(H)** “Local government” means a county or municipality.

9 4–902.

10 (a) There is a Maryland Violence Intervention and Prevention Program Fund.

11 (b) The purpose of the Fund is to:

12 (1) support effective violence reduction strategies by providing competitive
13 grants to local governments and nonprofit organizations to fund evidence–based health
14 programs or evidence–informed health programs; and

15 (2) evaluate the efficacy of evidence–based health programs or
16 evidence–informed health programs funded through the Fund.

17 (c) The Executive Director shall administer the Fund in consultation with the
18 Council.

19 (d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of
20 the State Finance and Procurement Article.

21 (2) The State Treasurer shall hold the Fund separately and the
22 Comptroller, in conjunction with the Executive Director, shall account for the Fund.

23 (e) (1) The Fund consists of:

24 (i) money appropriated in the State budget to the Fund;

25 (ii) investment earnings of the Fund; and

26 (iii) money from any other source accepted for the benefit of the Fund.

27 **(2) (I) [The] SUBJECT TO SUBPARAGRAPH (II) OF THIS**
28 **PARAGRAPH, THE Governor [may annually appropriate up to] SHALL INCLUDE IN THE**
29 **ANNUAL BUDGET BILL AN APPROPRIATION OF \$10,000,000 to the Fund.**

**(II) THE APPROPRIATION REQUIRED UNDER SUBPARAGRAPH
(I) OF THIS PARAGRAPH SHALL BE COMPOSED OF AT LEAST \$5,000,000 IN GENERAL
FUNDS.**

(f) (1) The Fund shall be used in the following manner:

(i) to support effective violence reduction strategies by providing competitive grants to local governments and nonprofit organizations to fund evidence-based health programs or evidence-informed health programs; [and]

(ii) in an amount **NOT LESS THAN 5% BUT** not greater than [5%] **10%** of the Fund, for the evaluation of the efficacy of evidence-based health programs or evidence-informed health programs awarded grants through the Fund; **AND**

**(III) IN AN AMOUNT NOT GREATER THAN 4% OF THE FUND, FOR
THE FOLLOWING ADMINISTRATIVE COSTS:**

1. OVERSIGHT OF THE FUND;

**2. PUBLIC OUTREACH AND EDUCATION ABOUT THE
FUND; AND**

**3. TECHNICAL ASSISTANCE AND BEST PRACTICE
EDUCATION FOR GRANTEES.**

(2) The Fund may not be used to:

(i) supplant funding that would otherwise be available for violence intervention or prevention programs; or

(ii) fund suppression activities by law enforcement.

(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.

4-903.

(a) There is a Maryland Violence Intervention and Prevention Advisory Council in the Governor's Office of Crime Control and Prevention.

(b) The Council consists of the following members:

(1) the Executive Director;

(2) one member of the Senate of Maryland, appointed by the President of the Senate;

(3) one member of the House of Delegates, appointed by the Speaker of the House;

(4) one individual from a higher education institution who studies public health, appointed by the Executive Director;

(5) one individual who has been affected by gun violence, appointed by the Executive Director; and

(6) subject to subsection (c) of this section, eight individuals appointed as follows:

(i) four individuals from community-based or hospital-based [organizations] **VIOLENCE INTERVENTION PROGRAMS** that use evidence-based health programs or evidence-informed health programs, two appointed by the President of the Senate and two appointed by the Speaker of the House;

(ii) two individuals from local police departments or the Department of State Police, one appointed by the President of the Senate and one appointed by the Speaker of the House; and

(iii) two individuals from local health departments that are implementing violence prevention strategies, one appointed by the President of the Senate and one appointed by the Speaker of the House.

(c) In making appointments under subsection (b)(6) of this section, the President of the Senate and the Speaker of the House shall ensure the inclusion of members from multiple cities and counties affected by violence.

(d) [(1)] The Council shall:

[(i)] (1) advise the Executive Director on:

(I) the allocation of funds for the evaluation of the efficacy of evidence-based health programs or evidence-informed health programs [that receive

funding in accordance with paragraph (2) of this subsection] **IN ACCORDANCE WITH § 4-907 OF THIS SUBTITLE; AND**

(II) THE DISTRIBUTION OF FUNDING AWARDS;

[(ii)] (2) provide input to the Executive Director on the administration of the Fund;

[(iii)] (3) assist the Executive Director in establishing procedures for local governments and nonprofit organizations to apply for funding;

[(iv)] (4) assist the Executive Director in establishing procedures for the distribution of funding;

[(v)] (5) create guidelines for funding eligibility;

[(vi)] (6) review and publish reports regarding the [success and failure] **EFFICACY** of nonsuppression-based violence intervention and prevention programs;

[(vii)] (7) advise the Governor and the Executive Director on the implementation of gun violence prevention programs in the State; [and]

(8) ADVISE THE EXECUTIVE DIRECTOR ON PUBLIC OUTREACH AND COMMUNICATIONS REGARDING THE FUND; AND

[(viii)] (9) be governed by a majority vote.

[(2) An evaluation of the efficacy of evidence-based health programs or evidence-informed health programs that receive funding under paragraph (1)(i) of this subsection shall be undertaken by an independent, third-party researcher selected by the Council.

(3) The results of the evaluation under paragraph (2) of this subsection shall be posted to the Governor's Office of Crime Control and Prevention's website.]

(e) A member of the Council:

(1) may not receive compensation as a member of the Council; but

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

4-904.

(a) The Executive Director shall[,]:

(1) in accordance with subsection (b) of this section and in consultation with the Council, establish procedures for local governments and nonprofit organizations to use in applying for money from the Fund; AND

(2) AT LEAST 60 DAYS BEFORE THE APPLICATION BECOMES AVAILABLE TO LOCAL GOVERNMENTS AND NONPROFIT ORGANIZATIONS, POST A NOTICE OF THE APPLICATION'S AVAILABILITY ON A PUBLICLY ACCESSIBLE WEBSITE.

(b) An application shall require a local government or nonprofit organization to provide, at a minimum:

(1) clearly defined and measureable objectives;

(2) evidence that the proposed evidence-based health programs or evidence-informed health programs would likely reduce gun violence; [and]

(3) a description of how the local government or nonprofit organization proposes to use the funding to reduce rates of gun violence by:

(i) establishing or enhancing evidence-based health programs or evidence-informed health programs; and

(ii) enhancing coordination of existing violence intervention and prevention programs, if any, to minimize duplication of services; AND

(4) A PLAN FOR THE COLLECTION OF RELEVANT DATA.

4-905.

(a) The Executive Director shall[,]:

(1) in accordance with subsection (b) of this section and in consultation with the Council, establish procedures for the distribution of money from the Fund; AND

(2) FORWARD ALL APPLICATIONS TO THE COUNCIL FOR REVIEW AND COMMENT AT LEAST 30 DAYS BEFORE DECISIONS REGARDING THE DISTRIBUTION OF FUNDING AWARDS.

(b) (1) Funding awards shall be made to local governments and nonprofit organizations for a minimum duration of 3 consecutive fiscal years.

(2) Preference shall be given to local governments or nonprofit

1 organizations:

2 (i) that [are] **SERVE AN AREA** disproportionately affected by
3 violence, as determined by the Council; [and]

4 (ii) whose grant proposals demonstrate the greatest likelihood of
5 reducing gun violence in their communities; **AND**

6 **(III) THAT SERVE A POPULATION IDENTIFIED AS HAVING THE**
7 **HIGHEST RISK OF PERPETRATING OR BEING VICTIMIZED BY VIOLENCE IN THE NEAR**
8 **FUTURE.**

9 (c) Funding awards shall be commensurate with:

10 (1) the levels of gun violence in the jurisdiction served by the local
11 government or nonprofit organization; and

12 (2) the strength of the local government or nonprofit organization's
13 application.

14 **4-907.**

15 **(A) THE EXECUTIVE DIRECTOR SHALL, IN CONSULTATION WITH THE**
16 **COUNCIL:**

17 **(1) ORDER AN ONGOING EVALUATION OF THE EFFICACY OF EACH**
18 **EVIDENCE-BASED HEALTH PROGRAM OR EVIDENCE-INFORMED HEALTH PROGRAM**
19 **THAT RECEIVES FUNDING UNDER THIS SUBTITLE; AND**

20 **(2) RETAIN A SUFFICIENT NUMBER OF INDEPENDENT, THIRD-PARTY**
21 **EVALUATORS TO MAINTAIN COMPLIANCE WITH THIS SECTION.**

22 **(B) EVALUATIONS REQUIRED UNDER THIS SECTION SHALL BE:**

23 **(1) GROUPED BY SIMILAR PROGRAM MODELS, AS DETERMINED BY**
24 **THE COUNCIL;**

25 **(2) CONDUCTED BY INDEPENDENT, THIRD-PARTY EVALUATORS; AND**

26 **(3) ONGOING FOR THE 3-YEAR GRANT PERIOD.**

27 **(C) AN EVALUATION OF AN EVIDENCE-BASED HEALTH PROGRAM OR**
28 **EVIDENCE-INFORMED HEALTH PROGRAM THAT RECEIVES FUNDING UNDER THIS**
29 **SUBTITLE MAY BE CONDUCTED ONLY BY AN EVALUATOR WITH SPECIALIZED**

1 EXPERTISE IN THE SPECIFIC MODEL THAT THE EVALUATOR IS ASSIGNED TO
2 EVALUATE.

3 (D) THE RESULTS OF AN EVALUATION ORDERED UNDER SUBSECTION (A) OF
4 THIS SECTION SHALL BE POSTED TO THE GOVERNOR'S OFFICE OF CRIME CONTROL
5 AND PREVENTION'S WEBSITE.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
7 1, 2020.