

HOUSE BILL 741

E4

0lr1811
CF 0lr3256

By: **Delegate Luedtke**

Introduced and read first time: January 30, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Empowering Communities to Counter Racially Motivated**
3 **Violent Extremism Program Fund – Establishment**

4 FOR the purpose of establishing the Empowering Communities to Counter Racially
5 Motivated Violent Extremism Program Fund as a special, nonlapsing fund;
6 specifying the purpose, use, and contents of the Fund; requiring the Executive
7 Director of the Governor’s Office of Crime Control and Prevention to administer the
8 Fund; requiring the State Treasurer to hold the Fund and the Comptroller, in
9 conjunction with the Executive Director, to account for the Fund; authorizing the
10 Governor to make an appropriation for the Fund; providing for the investment of
11 money in and expenditures from the Fund; providing that expenditures from the
12 Fund may be made only in accordance with the State budget; providing that the
13 accounts and transactions of the Fund shall be subject to a certain audit; requiring
14 the Executive Director to establish certain procedures for local governments to apply
15 for grants from the Fund and, subject to a certain priority, award grants from the
16 Fund; requiring that a training plan established by a local government using grant
17 funds include certain information; requiring that a local government that receives a
18 grant from the fund provide the Executive Director with certain information on or
19 before a certain date; exempting the Fund from a certain provision of law requiring
20 that interest earnings on State money accrue to the General Fund; defining certain
21 terms; and generally relating to the Empowering Communities to Counter Racially
22 Motivated Violent Extremism Program Fund.

23 BY adding to
24 Article – Public Safety
25 Section 4–1501 through 4–1503 to be under the new subtitle “Subtitle 15.
26 Empowering Communities to Counter Racially Motivated Violent Extremism
27 Program Fund”
28 Annotated Code of Maryland
29 (2018 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)121. and 122.
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)123.
Annotated Code of Maryland
(2015 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

SUBTITLE 15. EMPOWERING COMMUNITIES TO COUNTER RACIALLY MOTIVATED VIOLENT EXTREMISM PROGRAM FUND.

4–1501.

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

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

(C) “FUND” MEANS THE EMPOWERING COMMUNITIES TO COUNTER
RACIALLY MOTIVATED VIOLENT EXTREMISM PROGRAM FUND.

(D) “LOCAL GOVERNMENT” MEANS A COUNTY OR MUNICIPALITY.

(E) “RACIALLY MOTIVATED VIOLENT EXTREMISM” MEANS A SITUATION IN
WHICH A PERSON THREATENS THE USE OF FORCE OR USES FORCE OR VIOLENCE IN
VIOLATION OF A STATE OR FEDERAL LAW IN FURTHERANCE OF POLITICAL OR
SOCIAL AGENDAS MOTIVATED BY A HATE BIAS RELATED TO RACE, COLOR, OR
NATIONAL ORIGIN AGAINST ANOTHER INDIVIDUAL OR GROUP.

1 4-1502.

2 (A) THERE IS AN EMPOWERING COMMUNITIES TO COUNTER RACIALLY
3 MOTIVATED VIOLENT EXTREMISM PROGRAM FUND.

4 (B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANT ASSISTANCE TO
5 LOCAL GOVERNMENTS TO ADMINISTER PROGRAMS THAT TRAIN INDIVIDUALS ON
6 THE:

7 (1) IDENTIFICATION OF WARNING SIGNS OF RACIALLY MOTIVATED
8 VIOLENT EXTREMISM; AND

9 (2) BEST PRACTICES FOR REPORTING AND PREVENTING RACIALLY
10 MOTIVATED VIOLENT EXTREMISM.

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

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

14 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY
15 AND THE COMPTROLLER, IN CONJUNCTION WITH THE EXECUTIVE DIRECTOR,
16 SHALL ACCOUNT FOR THE FUND.

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

18 (I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE
19 FUND;

20 (II) INVESTMENT EARNINGS OF THE FUND; AND

21 (III) MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE
22 BENEFIT OF THE FUND.

23 (2) THE GOVERNOR MAY APPROPRIATE MONEY TO THE FUND.

24 (F) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO LOCAL
25 GOVERNMENTS FOR THE PURPOSES ESTABLISHED UNDER SUBSECTION (B) OF THIS
26 SECTION.

27 (G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
28 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.

4-1503.

(A) THE EXECUTIVE DIRECTOR SHALL:

(1) ESTABLISH PROCEDURES FOR LOCAL GOVERNMENTS TO APPLY FOR GRANTS FROM THE FUND; AND

(2) MAKE GRANTS FROM THE FUND BASED ON THE PERCEIVED EFFECTIVENESS OF THE TRAINING PLAN DESCRIBED IN THE APPLICATION.

(B) A TRAINING PLAN ESTABLISHED BY A LOCAL GOVERNMENT USING GRANT FUNDS AWARDED UNDER THIS SUBSECTION SHALL:

(1) TRAIN INDIVIDUALS FOR THE PURPOSES SPECIFIED UNDER § 4-1502(B) OF THIS SUBTITLE;

(2) EXPLAIN THE AVAILABLE RESOURCES THAT CAN BE USED FOR INTERVENTION, INCLUDING CONTACT INFORMATION FOR THOSE RESOURCES; AND

(3) INCORPORATE ANY OTHER INFORMATION THAT THE EXECUTIVE DIRECTOR DETERMINES NECESSARY.

(C) ON OR BEFORE DECEMBER 31 EACH YEAR, A LOCAL GOVERNMENT THAT RECEIVES A GRANT FROM THE FUND SHALL, IN A FORMAT APPROVED BY THE EXECUTIVE DIRECTOR, PROVIDE THE EXECUTIVE DIRECTOR WITH:

(1) THE NUMBER OF TRAININGS CONDUCTED;

(2) THE LOCATION OF EACH TRAINING;

(3) THE NUMBER OF INDIVIDUALS THAT ATTENDED EACH TRAINING;

(4) THE TRAINING CURRICULA;

1 **(5) PARTICIPANT FEEDBACK ON THE USEFULNESS OF THE TRAINING;**

2 **AND**

3 **(6) ANY OTHER INFORMATION THAT THE EXECUTIVE DIRECTOR**
4 **DEEMS NECESSARY.**

5 **Article – State Finance and Procurement**

6 6–226.

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

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

15 121. the Markell Hendricks Youth Crime Prevention and
16 Diversion Parole Fund; [and]

17 122. the Federal Government Shutdown Employee Assistance
18 Loan Fund; **AND**

19 **123. THE EMPOWERING COMMUNITIES TO COUNTER**
20 **RACIALLY MOTIVATED VIOLENT EXTREMISM PROGRAM FUND.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2020.