

SENATE BILL 840

E4

3lr2643
CF HB 1243

By: **Senators Kramer, Brooks, Corderman, Elfreth, Feldman, Hettleman, Waldstreicher, ~~and Lewis Young~~ Lewis Young, and Hester**

Introduced and read first time: February 6, 2023

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 10, 2023

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Protecting Against Hate Crimes Grant Fund – Establishment**

3 FOR the purpose of establishing the Protecting Against Hate Crimes Grant Fund as a
4 special, nonlapsing fund to make grants to nonprofit organizations, including
5 faith-based organizations, to provide security enhancements to protect against hate
6 crimes; requiring the Executive Director of the Governor's Office of Crime
7 Prevention, Youth, and Victim Services to administer the Fund; ~~requiring~~
8 authorizing, for fiscal year 2025 and each fiscal year thereafter, the Governor to
9 include in the annual budget bill a certain appropriation to the Fund; and generally
10 relating to the Protecting Against Hate Crimes Grant Fund.

11 BY adding to

12 Article – Public Safety

13 Section 4–1601 to be under the new subtitle “Subtitle 16. Protecting Against Hate
14 Crimes Grant Fund”

15 Annotated Code of Maryland

16 (2022 Replacement Volume)

17 BY repealing and reenacting, without amendments,

18 Article – State Finance and Procurement

19 Section 6–226(a)(2)(i)

20 Annotated Code of Maryland

21 (2021 Replacement Volume and 2022 Supplement)

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.



BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)170. and 171.
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)172.
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

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

Article – Public Safety

SUBTITLE 16. PROTECTING AGAINST HATE CRIMES GRANT FUND.

4–1601.

(A) IN THIS SECTION, “FUND” MEANS THE PROTECTING AGAINST HATE
CRIMES GRANT FUND.

(B) THERE IS A PROTECTING AGAINST HATE CRIMES GRANT FUND.

(C) THE PURPOSE OF THE FUND IS TO MAKE GRANTS TO NONPROFIT
ORGANIZATIONS, INCLUDING FAITH–BASED ORGANIZATIONS, TO PROVIDE
SECURITY ENHANCEMENTS TO PROTECT AGAINST HATE CRIMES.

(D) THE EXECUTIVE DIRECTOR OF THE GOVERNOR’S OFFICE OF CRIME
PREVENTION, YOUTH, AND VICTIM SERVICES SHALL:

(1) ADMINISTER THE FUND;

(2) ESTABLISH AND PUBLISH PROCEDURES FOR THE DISTRIBUTION
OF GRANTS TO NONPROFIT ORGANIZATIONS, INCLUDING FAITH–BASED
ORGANIZATIONS;

(3) SET ASIDE A MINIMUM OF \$1,000,000 EACH YEAR FOR GRANTS TO
~~FAITH–BASED INSTITUTIONS~~ ORGANIZATIONS TO INCREASE SECURITY MEASURES
AGAINST FAITH–BASED HATE CRIMES, WITH PRIORITY GIVEN TO APPLICANTS THAT
CAN DEMONSTRATE A HIGH PREVALENCE OF HATE CRIMES AGAINST MEMBERS OF
AND INSTITUTIONS REPRESENTING THE APPLICANT’S FAITH; AND

(4) SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, A REPORT ON THE DISTRIBUTION OF FUNDING BEFORE SEPTEMBER 1 EACH YEAR.

(E) (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) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) ANY INTEREST EARNINGS OF THE FUND; AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE FUND MAY BE USED ONLY TO MAKE GRANTS TO NONPROFIT ORGANIZATIONS, INCLUDING FAITH-BASED ORGANIZATIONS, TO PROVIDE SECURITY ENHANCEMENTS TO PROTECT AGAINST HATE CRIMES.

(H) (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, INCLUDING INTEREST EARNINGS UNDER SUBSECTION (F) OF THIS SECTION, SHALL BE CREDITED TO THE FUND.

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

(J) MONEY EXPENDED FROM THE FUND FOR GRANTS TO NONPROFIT ORGANIZATIONS, INCLUDING FAITH-BASED ORGANIZATIONS, TO PROVIDE SECURITY ENHANCEMENTS TO PROTECT AGAINST HATE CRIMES IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR PROVIDING NONPROFIT ORGANIZATIONS, INCLUDING FAITH-BASED ORGANIZATIONS, WITH SECURITY ENHANCEMENTS TO PROTECT AGAINST HATE CRIMES.

(K) FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR ~~SHALL~~ MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$5,000,000 TO THE FUND.

Article – State Finance and Procurement

6–226.

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

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

170. the Cannabis Public Health Fund; [and]

171. the Community Reinvestment and Repair Fund; AND

172. THE PROTECTING AGAINST HATE CRIMES GRANT FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.