

HOUSE BILL 974

E4

3lr1862
CF 3lr3076

By: **Delegates Addison, Amprey, Attar, Bartlett, Boyce, Bridges, Charles, Conaway, Crutchfield, Davis, Edelson, Embry, J. Long, Mireku–North, Phillips, Simpson, Toles, Vogel, Wilkins, Williams, and Young**

Introduced and read first time: February 10, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Gun Violence Victim Relocation Program – Establishment**

3 FOR the purpose of establishing the Gun Violence Victim Relocation Program within the
4 Victim Services Unit of the Governor’s Office of Crime Prevention, Youth, and Victim
5 Services to provide certain victims of gun violence certain services and assistance
6 related to relocating for the safety of the victim or the victim’s family; establishing
7 the Gun Violence Victim Relocation Program Fund as a special, nonlapsing fund;
8 requiring interest earnings of the Fund to be credited to the Fund; requiring the
9 Victim Services Unit to establish a certain oversight commission; and generally
10 relating to the Gun Violence Victim Relocation Program.

11 BY repealing and reenacting, with amendments,
12 Article – Criminal Procedure
13 Section 11–1102
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2022 Supplement)

16 BY adding to
17 Article – Public Safety
18 Section 5–901 through 5–907 to be under the new subtitle “Subtitle 9. Gun Violence
19 Victim Relocation Program”
20 Annotated Code of Maryland
21 (2022 Replacement Volume)

22 BY repealing and reenacting, without amendments,
23 Article – State Finance and Procurement
24 Section 6–226(a)(2)(i)
25 Annotated Code of Maryland
26 (2021 Replacement Volume and 2022 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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 – Criminal Procedure

11–1102.

(a) There is a Victim Services Unit in the Governor’s Office of Crime Prevention,
Youth, and Victim Services.

(b) The Unit consists of:

(1) the Criminal Injuries Compensation Board under Subtitle 8 of this title;

(2) the program for sexual assault forensic examinations under § 11–1007
of this title;

**(3) THE GUN VIOLENCE VICTIM RELOCATION PROGRAM UNDER
TITLE 5, SUBTITLE 9 OF THE PUBLIC SAFETY ARTICLE;**

[(3)] (4) a restitution section; and

[(4)] (5) any other program that provides victim services under the
Governor’s Office of Crime Prevention, Youth, and Victim Services that the Executive
Director determines would benefit from inclusion under the Unit.

Article – Public Safety

SUBTITLE 9. GUN VIOLENCE VICTIM RELOCATION PROGRAM.

5–901.

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

1 INDICATED.

2 (B) "FUND" MEANS THE GUN VIOLENCE VICTIM RELOCATION PROGRAM
3 FUND ESTABLISHED UNDER § 5-906 OF THIS SUBTITLE.

4 (C) "PROGRAM" MEANS THE GUN VIOLENCE VICTIM RELOCATION
5 PROGRAM ESTABLISHED UNDER § 5-902 OF THIS SUBTITLE.

6 (D) "VICTIM SERVICES UNIT" MEANS THE VICTIM SERVICES UNIT WITHIN
7 THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES
8 ESTABLISHED UNDER § 11-1102 OF THE CRIMINAL PROCEDURE ARTICLE.

9 5-902.

10 (A) THERE IS A GUN VIOLENCE VICTIM RELOCATION PROGRAM WITHIN
11 THE VICTIM SERVICES UNIT.

12 (B) THE PURPOSE OF THE PROGRAM IS TO ASSIST IN THE RELOCATION OF
13 VICTIMS OF GUN VIOLENCE IN THE STATE TO ENSURE THE SAFETY AND WELL-BEING
14 OF THE VICTIM AND THE VICTIM'S FAMILY.

15 (C) THIS SUBTITLE SHALL BE LIBERALLY CONSTRUED AND APPLIED TO
16 PROMOTE ITS UNDERLYING PURPOSE.

17 5-903.

18 (A) (1) AN INDIVIDUAL MAY REQUEST PARTICIPATION IN THE PROGRAM
19 THROUGH THE VICTIM SERVICES UNIT.

20 (2) AN INDIVIDUAL IS ELIGIBLE FOR ASSISTANCE THROUGH THE
21 PROGRAM IF:

22 (I) THE INDIVIDUAL IS A VICTIM OF GUN VIOLENCE IN THE
23 STATE;

24 (II) 1. THE INDIVIDUAL EXPERIENCED THE VIOLENCE
25 WITHIN CLOSE PROXIMITY TO THE INDIVIDUAL'S HOME; OR

26 2. THE INDIVIDUAL LIVES IN CLOSE PROXIMITY TO A
27 PERSON WHO IS SUSPECTED TO HAVE CAUSED THE VIOLENCE; AND

28 (III) THE INDIVIDUAL DEMONSTRATES A NEED TO BE
29 RELOCATED FOR THE SAFETY OF THE INDIVIDUAL OR THE INDIVIDUAL'S FAMILY.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE VICTIM SERVICES UNIT SHALL ACCEPT ANY ELIGIBLE INDIVIDUAL INTO THE PROGRAM.

(II) THE VICTIM SERVICES UNIT MAY NOT ACCEPT AN INDIVIDUAL INTO THE PROGRAM IF THE INDIVIDUAL IS SUSPECTED TO HAVE PERPETRATED THE VIOLENCE.

(B) THE VICTIM SERVICES UNIT SHALL KEEP THE PERSONAL INFORMATION OF AN INDIVIDUAL WHO APPLIES FOR THE PROGRAM UNDER SUBSECTION (A) OF THIS SECTION CONFIDENTIAL, INCLUDING THE ADDRESS AND ANY OTHER IDENTIFYING INFORMATION OF THE INDIVIDUAL.

5-904.

(A) THE VICTIM SERVICES UNIT SHALL ASSIST AN ELIGIBLE VICTIM ACCEPTED INTO THE PROGRAM BY:

(1) RELOCATING THE VICTIM AND THE VICTIM'S FAMILY TO A SAFE LOCATION;

(2) PROVIDING THE VICTIM WITH FINANCIAL ASSISTANCE FOR MOVING EXPENSES, SECURITY DEPOSIT, AND RENT; AND

(3) PROVIDING OTHER SUPPORT SERVICES, INCLUDING COUNSELING, LEGAL ASSISTANCE, JOB TRAINING, AND RESOURCES AND SERVICES FOR INDIVIDUALS WITH DISABILITIES.

(B) THE VICTIM SERVICES UNIT SHALL:

(1) COLLABORATE WITH OTHER STATE AND LOCAL AGENCIES, INCLUDING LAW ENFORCEMENT, HOUSING AUTHORITIES, AND SOCIAL SERVICES, TO PROVIDE COMPREHENSIVE SERVICES TO VICTIMS UNDER THE PROGRAM;

(2) CONDUCT COMMUNITY OUTREACH IN ORDER TO EDUCATE THE PUBLIC ABOUT THE PROGRAM AND TO ENCOURAGE VICTIMS OF GUN VIOLENCE TO SEEK ASSISTANCE UNDER THE PROGRAM; AND

(3) WORK TO ENSURE THAT VICTIMS UNDER THE PROGRAM WHO ARE RENTERS ARE PROTECTED FROM EVICTION OR FROM BEING DENIED RENTAL HOUSING BASED ON THE VICTIM'S STATUS IN THE PROGRAM.

1 (C) THE VICTIM SERVICES UNIT SHALL ADOPT RULES AND REGULATIONS
2 NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

3 **5-905.**

4 THE VICTIM SERVICES UNIT SHALL ESTABLISH AN APPEAL PROCESS FOR AN
5 INDIVIDUAL DETERMINED TO BE INELIGIBLE AND DENIED ASSISTANCE UNDER THE
6 PROGRAM.

7 **5-906.**

8 (A) THERE IS A GUN VIOLENCE VICTIM RELOCATION PROGRAM FUND.

9 (B) THE PURPOSE OF THE FUND IS TO CARRY OUT THE PROVISIONS OF THIS
10 SUBTITLE.

11 (C) THE VICTIM SERVICES UNIT 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 SHALL ACCOUNT FOR THE FUND.

16 (E) THE FUND CONSISTS OF:

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

18 (2) PRIVATE DONATIONS; AND

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

21 (F) THE FUND MAY BE USED ONLY FOR CARRYING OUT THE PURPOSE OF
22 THE FUND.

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

25 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
26 THE FUND.

27 (H) NO PART OF THE FUND MAY REVERT OR BE CREDITED TO:

(1) THE GENERAL FUND OF THE STATE; OR

(2) ANY OTHER SPECIAL FUND OF THE STATE.

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

(J) THE FUND IS SUBJECT TO AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

5-907.

(A) THE VICTIM SERVICES UNIT SHALL ESTABLISH AN OVERSIGHT COMMISSION TO ENSURE THAT THE PROGRAM IS BEING ADMINISTERED PROPERLY AND THAT THE FUND IS BEING USED APPROPRIATELY.

(B) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2025, THE VICTIM SERVICES UNIT SHALL SUBMIT A REPORT ON THE STATUS OF THE PROGRAM TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY THAT INCLUDES:

(1) THE NUMBER OF INDIVIDUALS ACCEPTED INTO THE PROGRAM;

(2) THE NUMBER OF INDIVIDUALS WHO APPLIED FOR THE PROGRAM;

(3) THE TYPES OF SERVICES PROVIDED TO THE VICTIMS UNDER THE PROGRAM;

(4) AN OUTLINE OF HOW THE FUND IS USED TO SUPPORT THE PROGRAM;

(5) AN EVALUATION OF THE PROGRAM; AND

(6) ANY OTHER INFORMATION THAT MAY BE USEFUL IN DETERMINING THE PROGRAM'S EFFECTIVENESS.

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

1 State Treasurer under this section to special funds or accounts, and otherwise entitled to
2 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
3 Fund of the State.

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

6 170. the Cannabis Public Health Fund; [and]

7 171. the Community Reinvestment and Repair Fund; AND

8 **172. THE GUN VIOLENCE VICTIM RELOCATION PROGRAM**
9 **FUND.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That, for fiscal year 2025, the
11 Governor shall include in the annual budget bill an appropriation of \$10,000,000 to the Gun
12 Violence Victim Relocation Program Fund established under Title 5, Subtitle 9 of the Public
13 Safety Article.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2023.