

HOUSE BILL 1252

E4

3lr2953

By: **Delegates Schmidt and Holmes**

Introduced and read first time: February 16, 2023

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Volunteer Company Assistance Fund – Alterations**

3 FOR the purpose of altering the purpose and uses for a loan or grant from the Volunteer
4 Company Assistance Fund; altering certain reporting requirements for the
5 Maryland State Firemen’s Association; requiring the Maryland Department of
6 Emergency Management to report certain information regarding the Fund; and
7 generally relating to the Volunteer Company Assistance Fund.

8 BY repealing and reenacting, without amendments,

9 Article – Public Safety

10 Section 8–201

11 Annotated Code of Maryland

12 (2022 Replacement Volume)

13 BY repealing and reenacting, with amendments,

14 Article – Public Safety

15 Section 8–203 and 8–206

16 Annotated Code of Maryland

17 (2022 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Public Safety**

21 8–201.

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

23 (b) “Association” means the Maryland State Firemen’s Association.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) “Department” means the Military Department.

2 (d) “Fund” means the Volunteer Company Assistance Fund.

3 (e) “Volunteer company” means a volunteer ambulance, fire, or rescue company:

4 (1) located in the State; or

5 (2) located outside the State if the company:

6 (i) has been a member of the Association for at least the past 10
7 years; and

8 (ii) has a first due response area in the State.

9 8–203.

10 (a) The purpose of the Fund is to ensure adequate fire protection, **EMERGENCY**
11 **MEDICAL SERVICES**, and rescue services in the State.

12 (b) A grant or loan awarded under this section shall be used only for purchasing,
13 replacing, or improving:

14 (1) equipment, including elevated equipment, pumpers, tankers, ladder
15 trucks, [ambulances] **EMERGENCY MEDICAL EQUIPMENT**, rescue vehicles, or other large
16 equipment used for **OR IN SUPPORT OF** fire fighting and emergency services;

17 (2) communications equipment;

18 (3) protective equipment, including helmets, turnout coats and pants,
19 boots, eyeshields, gloves, and self-contained respiratory protection units;

20 (4) any other equipment necessary to carry out the ordinary functions of
21 supporting fire fighting, **EMERGENCY MEDICAL SERVICES**, and rescue activities; [or]

22 (5) facilities used to house **EQUIPMENT DESCRIBED IN ITEM (1) OF THIS**
23 **SUBSECTION, INCLUDING RESCUE EQUIPMENT**, fire fighting equipment, **AND**
24 ambulances[, and rescue vehicles];

25 (6) **FACILITIES USED TO SUPPORT FIRE FIGHTING PERSONNEL,**
26 **EMERGENCY MEDICAL SERVICES PERSONNEL, AND RESCUE PERSONNEL AND HOUSE**
27 **ADMINISTRATIVE TRAINING, COMMUNITY ASSEMBLY, AND EMERGENCY SHELTER**
28 **SPACES;**

29 (7) **ARCHITECTURAL, PROJECT MANAGEMENT, AND QUALITY**
30 **ASSURANCE SERVICES SUPPORTING PROJECTS AUTHORIZED UNDER THE FUND; OR**

1 **(8) PROGRESS PAYMENTS FOR EQUIPMENT AND FACILITIES**
2 **APPROVED BY THE ASSOCIATION AND THE MARYLAND DEPARTMENT OF**
3 **EMERGENCY MANAGEMENT, BUT ONLY AFTER THE VOLUNTEER COMPANY**
4 **FULFILLS ITS REQUIRED FUNDING MATCH FOR FUND LOANS AND GRANTS.**

5 (c) (1) (i) A volunteer company receiving a grant from the Fund shall
6 provide at least a 30% match of the amount of the grant.

7 (ii) If a volunteer company cannot reasonably provide the required
8 match before the grant is disbursed, the Board of Public Works may waive the requirement
9 or may allow repayment of the match within a reasonable time not exceeding 18 months
10 after the purchase, replacement, or improvement of the equipment or facilities.

11 (2) (i) Money to provide the required match may include contributions
12 from local government **AND MONEY FROM THE SENATOR WILLIAM H. AMOSS FIRE,**
13 **RESCUE, AND AMBULANCE FUND.**

14 (ii) A local government may not reduce the amount of money that
15 the volunteer company would otherwise be entitled to receive from the local government
16 because of State money provided under this section.

17 (3) Loans from the Fund may only be awarded to assist with up to 75% of
18 the total cost of the equipment or facilities being purchased.

19 (d) After a favorable recommendation from the Association, the Board of Public
20 Works may award a grant, loan, or both from the Fund to a volunteer company if:

21 (1) for a grant award:

22 (i) an act of God or other unforeseen event substantially impairs the
23 ability of the volunteer company to provide adequate and safe service; or

24 (ii) the volunteer company is unable to maintain the minimum level
25 of performance for adequate and safe service established by standards of the Association
26 because of a demonstrated lack of financial resources; and

27 (2) the Association and the volunteer company have executed an
28 agreement that:

29 (i) provides that the grant or loan will be used as represented to the
30 Board of Public Works in the request for approval; and

31 (ii) gives to the State security in the equipment or facilities
32 purchased with the loan and in the proceeds of that equipment or those facilities as
33 determined by the Board of Public Works to be appropriate and adequate.

1 (e) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
2 SUBSECTION, A grant or loan awarded under this section may not:

3 [(1)] (I) be used to refinance a debt or other obligation of a volunteer
4 company; or

5 [(2)] (II) be spent to replace or repair eligible items to the extent that
6 insurance proceeds are available for those purposes.

7 (2) A GRANT OR LOAN AWARDED UNDER THIS SECTION MAY BE USED
8 TO REFINANCE A DEBT OR OTHER OBLIGATION OF A VOLUNTEER COMPANY IF:

9 (I) THE DEBT OR OTHER OBLIGATION IS AN EXISTING LIABILITY
10 FOR EQUIPMENT OR FACILITIES LISTED UNDER SUBSECTION (B) OF THIS SECTION
11 AND SUBSTANTIALLY IMPAIRS THE VOLUNTEER COMPANY'S ABILITY TO PROVIDE
12 ADEQUATE AND SAFE SERVICES; AND

13 (II) THE GRANT OR LOAN AWARDED WILL IMPROVE THE
14 VOLUNTEER COMPANY'S ABILITY TO PROVIDE ADEQUATE AND SAFE SERVICES.

15 (f) The Board of Public Works may not approve a grant or loan from the Fund to
16 a volunteer company if the volunteer company has not made a good faith effort to obtain
17 money from its local government.

18 8-206.

19 (a) On or before August [30] 15 of each fiscal year, the Association shall submit
20 to the [Department, the Legislative Auditor, and to the Board of Public Works]
21 MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT an annual report that
22 includes:

23 (1) the number and total amount of grants and the number and total
24 amount of loans made in the previous fiscal year; AND

25 (2) for each grant or loan made:

26 (i) the volunteer company that received the grant or loan;

27 (ii) the amount of the grant or loan; and

28 (iii) the specific purpose of making the grant or loan[;

29 (3) for each volunteer company that received a grant or loan:

1 (i) the financial statement of the volunteer company for the previous
2 fiscal year or the year in which the grant or loan was received, whichever is available; and

3 (ii) documentation of the volunteer company's actual expenditures
4 from the grant or loan;

5 (4) for each loan made, the terms of the loan, including origination date,
6 loan term, payment terms, payment amount, payments made to date, outstanding balance,
7 and loan status; and

8 (5) summary listings of grants and loans made during the previous fiscal
9 year and outstanding loans, by county].

10 **(B) ON OR BEFORE SEPTEMBER 15 OF EACH FISCAL YEAR, THE MARYLAND**
11 **DEPARTMENT OF EMERGENCY MANAGEMENT SHALL SUBMIT TO THE**
12 **DEPARTMENT, THE LEGISLATIVE AUDITOR, AND THE BOARD OF PUBLIC WORKS AN**
13 **ANNUAL REPORT THAT INCLUDES THE FOLLOWING FROM EACH VOLUNTEER**
14 **COMPANY THAT RECEIVED A GRANT OR LOAN IN THE PREVIOUS FISCAL YEAR:**

15 **(1) THE NUMBER AND TOTAL AMOUNT OF GRANTS AND THE NUMBER**
16 **AND THE TOTAL AMOUNT OF LOANS FROM THE FUND MADE IN THE PREVIOUS**
17 **FISCAL YEAR;**

18 **(2) FOR EACH GRANT OR LOAN MADE:**

19 **(I) THE VOLUNTEER COMPANY THAT RECEIVED THE GRANT OR**
20 **LOAN;**

21 **(II) THE AMOUNT OF THE GRANT OR LOAN; AND**

22 **(III) THE SPECIFIC PURPOSE FOR MAKING THE GRANT OR LOAN;**

23 **(3) FOR EACH VOLUNTEER COMPANY THAT RECEIVED A GRANT OR**
24 **LOAN:**

25 **(I) THE FINANCIAL STATEMENT OF THE VOLUNTEER COMPANY**
26 **FOR THE PREVIOUS FISCAL YEAR OR THE YEAR IN WHICH THE GRANT OR LOAN WAS**
27 **RECEIVED, WHICHEVER IS AVAILABLE; AND**

28 **(II) DOCUMENTATION OF THE VOLUNTEER COMPANY'S ACTUAL**
29 **EXPENDITURES FROM THE GRANT OR LOAN;**

1 **(4) FOR EACH LOAN MADE, THE TERMS OF THE LOAN, INCLUDING**
2 **ORIGINATION DATE, LOAN TERM, PAYMENT TERMS, PAYMENT AMOUNT, PAYMENTS**
3 **MADE TO DATE, OUTSTANDING BALANCE, AND LOAN STATUS; AND**

4 **(5) SUMMARY LISTINGS OF GRANTS AND LOANS MADE DURING THE**
5 **PREVIOUS FISCAL YEAR AND OUTSTANDING LOANS ORGANIZED BY COUNTY.**

6 **[(b)] (C)** The Department shall:

7 (1) review the documentation submitted in accordance with subsection
8 **[(a)] (B)** of this section on an annual basis to determine if each grant or loan was spent in
9 accordance with this subtitle and the request approved by the Board of Public Works; and

10 (2) report the findings to the Senate Budget and Taxation Committee and
11 the House Appropriations Committee on an annual basis.

12 **[(c)] (D)** The Legislative Auditor may:

13 (1) review the documentation submitted in accordance with subsection
14 **[(a)] (B)** of this section to determine if each grant or loan was spent in accordance with this
15 subtitle and the requests approved by the Board of Public Works; and

16 (2) report the findings to the Department and, subject to § 2–1257 of the
17 State Government Article, to the Joint Audit and Evaluation Committee of the General
18 Assembly.

19 **[(d)] (E)** The Comptroller may audit the financial affairs of the Association to
20 ensure compliance with this subtitle.

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