

SB0281/753621/1

BY: Senator Brochin

AMENDMENTS TO SENATE BILL 281
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “violence;” insert “requiring each county superintendent of schools to enter into an agreement with an appropriate law enforcement agency to provide a full-time school resource officer to each public elementary and secondary school;”.

On page 2, in line 20, before “defining” insert “providing that additional funding required for certain school resource officers shall be paid from the Education Trust Fund from funds allocated from a certain source;”.

On page 2, after line 26, insert:

“BY repealing and reenacting, with amendments,
Article – Education
Section 26–102
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)”.

On page 3, after line 5, insert:

“BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–30
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

(Over)

On page 10, after line 27, insert:

“Article – Education

26–102.

(a) In this section, “school resource officer” means a law enforcement officer as defined under § 3–101(e) of the Public Safety Article who has been assigned to a school in accordance with a memorandum of understanding between the chief of a law enforcement agency as defined under § 3–101(b) of the Public Safety Article and the local education agency.

(b) The governing board, president, superintendent, principal, or school resource officer of any public institution of elementary, secondary, or higher education, or a person designated in writing by the board or any of these persons, may deny access to the buildings or grounds of the institution to any other person who:

(1) Is not a bona fide, currently registered student, or staff or faculty member at the institution, and who does not have lawful business to pursue at the institution;

(2) Is a bona fide, currently registered student at the institution and has been suspended or expelled from the institution, for the duration of the suspension or expulsion; or

(3) Acts in a manner that disrupts or disturbs the normal educational functions of the institution.

(c) Administrative personnel, authorized employees of any public institution of elementary, secondary, or higher education, and persons designated in subsection (b) of this section may demand identification and evidence of qualification from any person who desires to use or enter the premises of the institution.

(D) (1) EACH COUNTY SUPERINTENDENT, AS DEFINED IN § 1-101 OF THIS ARTICLE, SHALL ENTER INTO AN AGREEMENT WITH AN APPROPRIATE LAW ENFORCEMENT AGENCY TO PROVIDE A FULL-TIME SCHOOL RESOURCE OFFICER TO EACH PUBLIC INSTITUTION OF ELEMENTARY OR SECONDARY EDUCATION TO CARRY OUT THE RESPONSIBILITIES OF THIS SECTION.

(2) ANY ADDITIONAL FUNDING REQUIRED BY A LOCAL EDUCATION AGENCY TO MEET THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION THAT EXCEEDS THE AMOUNT PROVIDED IN THAT AGENCY'S FISCAL YEAR 2013 OPERATING BUDGET SHALL BE PAID FROM THE EDUCATION TRUST FUND FROM THE FUNDS ALLOCATED UNDER § 9-1A-27 OF THE STATE GOVERNMENT ARTICLE.

[(d)] (E) The governing board of any public institution of [elementary, secondary, or] higher education may enter into an agreement with appropriate law enforcement agencies to carry out the responsibilities of this section when:

(1) The institution is closed; or

(2) None of the persons designated in subsection (b) of this section are present in the buildings or on the grounds of the institution.

[(e)] (F) A person is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000, imprisonment not exceeding 6 months, or both if he:

(1) Trespasses on the grounds of any public institution of elementary, secondary, or higher education;

(2) Fails or refuses to leave the grounds of any of these institutions after being requested to do so by a person designated in subsection (b) of this section as being authorized to deny access to the buildings or grounds of the institution; or

(3) Willfully damages or defaces any building, furnishing, statue, monument, memorial, tree, shrub, grass, or flower on the grounds of any of these institutions.”.

On page 38, before line 5, insert:

“Article – State Government

9–1A–30.

(a) There is an Education Trust Fund which is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(b) (1) There shall be credited to the Education Trust Fund all proceeds allocated to the Fund under § 9–1A–27 of this subtitle.

(2) Money in the Education Trust Fund shall be invested and reinvested by the Treasurer, and interest and earnings shall accrue to the Fund.

(c) Money in the Education Trust Fund shall be used to:

(1) provide funding for public elementary and secondary education, through continuation of the funding and formulas established under the programs commonly known as the Bridge to Excellence in Public Schools Act, first enacted by Chapter 288 of the Acts of the General Assembly of 2002, including the funding for regional differences in the cost of education under § 5–202(f) of the Education Article;

(2) provide funds to construct public school buildings and provide public school capital improvements in accordance with §§ 5–301 through 5–303 of the Education Article;

(3) provide funds for capital projects at community colleges and public senior higher education institutions; [and]

(4) provide funds to expand public early childhood education programs in the State; AND

(5) PROVIDE FUNDS FOR SCHOOL RESOURCE OFFICERS FOR PUBLIC ELEMENTARY AND SECONDARY INSTITUTIONS OF EDUCATION, AS SPECIFIED IN § 26–102(D) OF THE EDUCATION ARTICLE.

(d) Expenditures from the Education Trust Fund shall be made each fiscal year in accordance with the State budget.”.