

SENATE BILL 1262

E4

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By: **Senators Astle, Miller, and Waugh**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 13, 2018

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Background Information for Firearm License Investigations –**
3 **School Crisis Welfare Officers**
4 **(School Safety Act 2018: Prevention)**

5 FOR the purpose of requiring the Secretary of State Police to request certain assistance
6 from certain law enforcement officials, the courts of the State, and health care
7 facilities in the State in conducting an investigation of an applicant for a certain
8 firearm license; establishing the Workgroup on Accurate and Integrated Background
9 Information on Applicants for Firearm Licenses; providing for the composition, chair,
10 and staffing of the Workgroup; prohibiting a member of the Workgroup from
11 receiving certain compensation, but authorizing the reimbursement of certain
12 expenses; requiring the Workgroup to study and make recommendations regarding
13 certain matters; requiring the Workgroup to report its findings and
14 recommendations to the Governor and the General Assembly on or before a certain
15 date each year; requiring the Department of Human Resources to provide the sheriff
16 of each county at least one individual to work as a certain school crisis welfare officer;
17 providing for the duties of the school crisis welfare officer; requiring the school crisis
18 welfare officer to receive certain training and participate in a certain crisis response
19 system; requiring the Crisis Response System in each jurisdiction to coordinate with
20 a school crisis welfare officer; and generally relating to firearms and school safety.

21 BY repealing and reenacting, with amendments,
22 Article – Public Safety
23 Section 5–121
24 Annotated Code of Maryland
25 (2011 Replacement Volume and 2017 Supplement)

26 BY adding to
27 Article – Public Safety
28 Section 5–121.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2011 Replacement Volume and 2017 Supplement)

3 BY adding to
4 Article – Courts and Judicial Proceedings
5 Section 2–312
6 Annotated Code of Maryland
7 (2013 Replacement Volume and 2017 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 10–1403
11 Annotated Code of Maryland
12 (2015 Replacement Volume and 2017 Supplement)

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

15 **Article – Public Safety**

16 5–121.

17 (a) On receipt of a firearm application, the Secretary shall conduct an
18 investigation promptly to determine the truth or falsity of the information supplied and
19 statements made in the firearm application.

20 (b) In conducting an investigation under this subsection, the Secretary [may]
21 **SHALL** request the assistance of:

22 (1) the Police Commissioner of Baltimore City[.];

23 (2) the chief of police in any county maintaining a police force[, or];

24 (3) the sheriff in a county not maintaining a police force;

25 (4) **THE COURTS OF THE STATE; AND**

26 (5) **HEALTH CARE FACILITIES IN THE STATE.**

27 **5–121.1.**

28 (A) **THERE IS A WORKGROUP ON ACCURATE AND INTEGRATED**
29 **BACKGROUND INFORMATION ON APPLICANTS FOR FIREARM LICENSES IN THE**
30 **DEPARTMENT OF STATE POLICE.**

31 (B) **THE WORKGROUP CONSISTS OF THE FOLLOWING MEMBERS:**

1 (1) THE SECRETARY OF STATE POLICE, OR THE SECRETARY'S
2 DESIGNEE;

3 (2) A REPRESENTATIVE OF THE GOVERNOR'S OFFICE OF CRIME
4 CONTROL AND PREVENTION, APPOINTED BY THE GOVERNOR;

5 (3) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S
6 DESIGNEE; AND

7 (4) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE.

8 (C) THE SECRETARY OF STATE POLICE SHALL SERVE AS THE CHAIR OF THE
9 WORKGROUP.

10 (D) THE DEPARTMENT OF STATE POLICE SHALL PROVIDE STAFF FOR THE
11 WORKGROUP.

12 (E) A MEMBER OF THE WORKGROUP:

13 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
14 WORKGROUP; BUT

15 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
16 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

17 (F) THE WORKGROUP SHALL:

18 (1) MEET ON A QUARTERLY BASIS;

19 (2) STUDY HOW INVESTIGATIONS UNDER § 5-121 OF THIS
20 SUBTITLE ARE CONDUCTED AND HOW INVESTIGATIONS OF APPLICANTS FOR
21 FIREARM LICENSES ARE CONDUCTED IN OTHER JURISDICTIONS;

22 (3) MAKE RECOMMENDATIONS FOR OBTAINING MORE
23 ACCURATE, CURRENT, AND INTEGRATED BACKGROUND INFORMATION ON
24 APPLICANTS FOR FIREARMS LICENSES, INCLUDING:

25 (I) THE BEST METHODS FOR OBTAINING THE MOST
26 RECENT AND COMPLETE REPORTS FROM EACH COURT IN THE STATE AS TO
27 WHETHER AN APPLICANT HAS BEEN CONVICTED OF A CRIME OR IS THE SUBJECT OF
28 AN ORDER THAT DISQUALIFIES THE APPLICANT FROM OBTAINING A LICENSE;

1 (II) THE BEST METHODS FOR OBTAINING THE MOST
2 RECENT AND COMPLETE REPORTS FROM HEALTH CARE FACILITIES ON WHETHER AN
3 APPLICANT HAS BEEN ADMITTED OR COMMITTED TO A FACILITY UNDER § 10-609 OF
4 THE HEALTH – GENERAL ARTICLE OR COMMITTED TO A FACILITY UNDER TITLE 10,
5 SUBTITLE 6, PART III OF THE HEALTH – GENERAL ARTICLE, AS WELL AS OTHER
6 DISABILITIES THAT DISQUALIFY AN APPLICANT FROM RECEIVING A FIREARMS
7 LICENSE; AND

8 (III) THE BEST METHODS FOR OBTAINING THE MOST
9 RECENT AND COMPLETE CRIMINAL HISTORY BACKGROUND CHECK ON AN
10 APPLICANT;

11 (4) REVIEW THE ADEQUACY OF EXISTING RESOURCES USED IN
12 INVESTIGATIONS; AND

13 (5) MAKE RECOMMENDATIONS RELATING TO NEW
14 LEGISLATION AND SUPPLEMENTAL FUNDING FOR ADDITIONAL STAFFING AND
15 EQUIPMENT TO IMPROVE THE INVESTIGATION PROCESS.

16 (B) ON OR BEFORE DECEMBER 1 EACH YEAR, THE SECRETARY SHALL
17 REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN
18 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL
19 ASSEMBLY.

20 Article – Courts and Judicial Proceedings

21 2-312.

22 (A) THE DEPARTMENT OF HUMAN RESOURCES SHALL PROVIDE THE
23 SHERIFF OF EACH COUNTY AT LEAST ONE INDIVIDUAL TO WORK AS A SCHOOL CRISIS
24 WELFARE OFFICER TO:

25 (1) INVESTIGATE CASES OF POTENTIAL VIOLENCE IN THE LOCAL
26 SCHOOL SYSTEM, PARTICULARLY INDIVIDUALS THAT HAVE BEEN REPORTED ON
27 MORE THAN ONE OCCASION TO OR BY SCHOOL OFFICIALS AND LAW ENFORCEMENT
28 AGENCIES WITHIN THE JURISDICTION AS POTENTIAL DANGERS TO THE INDIVIDUAL
29 OR THE COMMUNITY;

30 (2) ASSIST SCHOOLS IN CRISIS RESPONSE PROGRAMS AND IN TAKING
31 STEPS TO PREVENT VIOLENCE IN THE SCHOOLS; AND

32 (3) ASSIST IN THE INVESTIGATION AND PROSECUTION OF VIOLENT
33 CRIMES THAT OCCUR IN OR NEAR THE SCHOOLS WITHIN THE JURISDICTION.

1 7. Transportation coordination, ensuring transportation of
2 patients to urgent appointments or to emergency psychiatric facilities;

3 8. Mobile crisis teams operating 24 hours a day and 7 days a
4 week to provide assessments, crisis intervention, stabilization, follow-up, and referral to
5 urgent care, and to arrange appointments for individuals to obtain behavioral health
6 services;

7 9. 23-hour holding beds;

8 10. Emergency psychiatric services;

9 11. Urgent care capacity;

10 12. Expanded capacity for assertive community treatment;

11 13. Crisis intervention teams with capacity to respond in each
12 jurisdiction 24 hours a day and 7 days a week; and

13 14. Individualized family intervention teams.

14 (2) Community awareness promotion and training programs; and

15 (3) An evaluation of outcomes of services through:

16 (i) An annual survey by the Administration of consumers and family
17 members who have received services from the Crisis Response System; and

18 (ii) Annual data collection on the number of behavioral health calls
19 received by police, attempted and completed suicides, unnecessary hospitalizations,
20 hospital diversions, arrests and detentions of individuals with behavioral health diagnoses,
21 and diversion of arrests and detentions of individuals with behavioral health diagnoses.

22 (b) The Crisis Response System services shall be implemented as determined by
23 the Administration in collaboration with the core service agency or local behavioral health
24 authority serving each jurisdiction.

25 (c) An advance directive for mental health services under § 5-602.1 of this article
26 shall apply to the delivery of services under this subtitle.

27 (d) This subtitle may not be construed to affect petitions for emergency
28 evaluations under § 10-622 of this title.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2018.