

HB0425/383128/1

BY: Delegate Mautz

AMENDMENTS TO HOUSE BILL 425  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Firearms**” insert “**and Firearm–Related Crimes Special Prosecution Unit for Baltimore City**”; in line 10, after “crime” insert “**establishing the Firearm–Related Crimes Special Prosecution Unit for Baltimore City**”; and after line 26, insert:

“BY adding to

Article - State Government

Section 6-601 through 6-607 to be under the new subtitle “Subtitle 6. Firearm–  
Related Crimes Special Prosecution Unit for Baltimore City”

Annotated Code of Maryland  
(2021 Replacement Volume)”.

AMENDMENT NO. 2

On page 6, after line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
read as follows:

Article – State Government

SUBTITLE 6. FIREARM–RELATED CRIMES SPECIAL PROSECUTION UNIT FOR  
BALTIMORE CITY.

6–601.

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

INDICATED.

(B) "FIREARM-RELATED CRIME" MEANS A FELONY OR A CRIME OF VIOLENCE, AS DEFINED IN § 5-101 OF THE PUBLIC SAFETY ARTICLE, INVOLVING THE USE OF A FIREARM.

(C) "UNIT" MEANS THE FIREARM-RELATED CRIMES SPECIAL PROSECUTION UNIT FOR BALTIMORE CITY ESTABLISHED UNDER § 6-602 OF THIS SUBTITLE.

6-602.

(A) THERE IS A FIREARM-RELATED CRIMES SPECIAL PROSECUTION UNIT FOR BALTIMORE CITY IN THE OFFICE OF THE ATTORNEY GENERAL.

(B) THE PURPOSE OF THE UNIT IS TO PROSECUTE FIREARM-RELATED CRIMES IN BALTIMORE CITY, IN COORDINATION WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT.

6-603.

(A) THE UNIT SHALL INCLUDE:

(1) A CHIEF SPECIAL PROSECUTOR APPOINTED BY THE GOVERNOR;

(2) A DEPUTY SPECIAL PROSECUTOR;

(3) EIGHT SENIOR SPECIAL PROSECUTORS RESPONSIBLE FOR WIRETAPS AND MULTIDEFENDANT CRIMINAL ORGANIZATION PROSECUTIONS;

(4) EIGHT SENIOR SPECIAL PROSECUTORS RESPONSIBLE FOR PROSECUTING HOMICIDES AND SHOOTINGS;

(5) EIGHT SPECIAL PROSECUTORS RESPONSIBLE FOR PROSECUTING OTHER FIREARM-RELATED CASES AND ASSISTING SENIOR SPECIAL PROSECUTORS, AS NECESSARY; AND

(6) SUPPORT STAFF INCLUDING LAW CLERKS AND ADMINISTRATIVE ASSISTANTS.

(B) (1) THE CHIEF SPECIAL PROSECUTOR SHALL HAVE AN ANNUAL SALARY OF \$150,000.

(2) THE DEPUTY SPECIAL PROSECUTOR SHALL HAVE AN ANNUAL SALARY OF \$125,000.

(3) EACH SENIOR SPECIAL PROSECUTOR SHALL HAVE AN ANNUAL SALARY OF \$125,000.

(4) EACH SPECIAL PROSECUTOR SHALL HAVE AN ANNUAL SALARY OF \$115,000.

(5) EACH SUPPORT STAFF MEMBER SHALL HAVE AN ANNUAL SALARY OF \$85,000.

6-604.

(A) (1) A STATE'S ATTORNEY FOR A COUNTY MAY NOMINATE UP TO

(Over)

FOUR ASSISTANT STATE'S ATTORNEYS FOR APPOINTMENT AS A PROSECUTOR FOR THE UNIT BY THE CHIEF SPECIAL PROSECUTOR.

(2) THE CHIEF SPECIAL PROSECUTOR MAY APPOINT ONE OR MORE PRIVATE ATTORNEYS TO SERVE AS PROSECUTORS IN THE UNIT.

(3) AN ASSISTANT STATE'S ATTORNEY OR PRIVATE ATTORNEY APPOINTED UNDER THIS SUBSECTION MAY NOT OTHERWISE PRACTICE LAW DURING THE PERIOD OF THE APPOINTMENT.

(B) APPROPRIATE LAW ENFORCEMENT AGENCIES, INCLUDING THE BALTIMORE POLICE DEPARTMENT, SHALL ASSIGN DEDICATED POLICE OFFICERS TO THE UNIT.

6-605.

(A) THE CHIEF SPECIAL PROSECUTOR SHALL ENGAGE WITH THE FEDERAL BUREAU OF INVESTIGATION, THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION, AND THE UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES WITH THE GOAL OF ARRANGING FOR THE ASSIGNMENT OF FEDERAL LAW ENFORCEMENT AGENTS TO ASSIST IN THE WORK OF THE UNIT.

(B) (1) THE GOVERNOR SHALL MAKE EFFORTS TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES ATTORNEY FOR THE DISTRICT OF MARYLAND FOR THE APPOINTMENT OF ONE OR MORE ATTORNEYS FROM THE UNIT AS SPECIAL UNITED STATES ATTORNEYS FOR THE PURPOSE OF PURSUING FEDERAL CHARGES RELATED TO THE DUTIES OF THE UNIT.

(2) THE UNIT MAY ALLOCATE FUNDS PROVIDED TO THE UNIT IN THE ANNUAL BUDGET TO THE SALARY OF AN ATTORNEY APPOINTED AS SPECIAL UNITED STATES ATTORNEY UNDER THIS SUBSECTION.

6-606.

(A) FOR FISCAL YEAR 2024, AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$10,000,000 FOR THE UNIT.

(B) OF THE APPROPRIATION DESCRIBED IN SUBSECTION (A) OF THIS SECTION, THE UNIT SHALL ALLOCATE:

(1) \$1,000,000 FOR INCENTIVES TO EXPAND THE GROUND CAMERA NETWORK IN BALTIMORE CITY; AND

(2) \$2,000,000 FOR WIRETAPS, UNDERCOVER DRUG INVESTIGATIONS, AND FORENSIC ANALYSTS.

6-607.

THE ATTORNEY GENERAL MAY ADOPT REGULATIONS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.”;

in line 12, strike “2.” and substitute “3.”; after line 16, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2022. It shall remain effective for a period of 3 years and, at the end of June 30, 2025, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”;

in line 17, strike “3.” and substitute “5”; and in the same line, after “That” insert “, except as provided in Section 4 of this Act,”.