

Department of Legislative Services
 Maryland General Assembly
 2005 Session

FISCAL AND POLICY NOTE

Senate Bill 981 (Senator Pipkin)
 Judicial Proceedings

**Maryland Video Surveillance Camera Deployment Commission and Fund -
 Establishment**

This bill establishes the Maryland Video Surveillance Camera Deployment Commission and the Maryland Video Surveillance Camera Deployment Fund. The Governor’s Office must provide staff for the commission.

The bill may not be construed to authorize the commission to remove or alter video surveillance cameras installed or otherwise placed before the bill’s October 1, 2005 effective date.

Fiscal Summary

State Effect: Special fund expenditures would increase by \$41,700 in FY 2006, which includes costs for one employee to staff the commission. Future year estimates reflect annual salary increases and inflation. Special fund revenues would increase due to the fee imposed on State agencies for hearings on video camera placement. Potential increases in general fund and special fund expenditures for several State agencies due to the hearing fees. The actual impact depends on the amount of the fee and the number of hearings held.

(in dollars)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
SF Revenue	-	-	-	-	-
GF Expenditure	-	-	-	-	-
SF Expenditure	41,700	57,100	60,600	64,200	68,200
Net Effect	(\$41,700)	(\$57,100)	(\$60,600)	(\$64,200)	(\$68,200)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Potential significant operational effect on local law enforcement.

Small Business Effect: None.

Analysis

Bill Summary: The stated purpose of the commission is to oversee and regulate the placement of video surveillance cameras under the control of the State or a political subdivision in public areas of the State.

The commission must: (1) hold hearings on the placement of any video surveillance cameras; and (2) approve or deny the placement of video surveillance cameras.

The commission may: (1) adopt regulations necessary to manage video surveillance cameras; (2) take an inventory of the existing video surveillance cameras; and (3) study the relationship between video surveillance cameras and the needs of the State.

The commission may establish a fee to be paid by a State agency whenever a hearing on the placement of video surveillance cameras is held. Revenue generated by the fee must be deposited into the fund used to pay for the operating costs of the commission. The balance of any unused portion of the revenue generated by the fee must revert to the fund.

State correctional facilities and juvenile detention, treatment, and corrections facilities are not covered under the bill.

Current Law: No applicable statutory provisions.

State Fiscal Effect: Special fund expenditures could increase by an estimated \$41,692 in fiscal 2006, which accounts for the bill's October 1, 2005 effective date. This estimate reflects the cost of hiring one full-time employee to staff the commission and includes salaries and fringe benefits. The Governor's Office advises that additional employees may be necessary to implement the requirements of the bill if the commission must hold a significant number of hearings or perform significant other duties.

Future year expenditures reflect full salaries with 4.6% annual increases and 3% employee turnover.

Maryland Video Surveillance Camera Deployment Fund special fund revenues would increase due to the fee imposed on State agencies requesting to place video surveillance cameras in public areas. It is assumed that the revenues generated by the fee will be sufficient to offset expenditures.

As discussed below, several State agencies utilize video surveillance for investigative, security, and crime prevention purposes. General and special fund expenditures for these agencies could increase due to the imposition of the fee for hearings before the Maryland Video Surveillance Camera Deployment Commission. The actual effect depends on the amount of the fee and the number of hearings that will be required.

Department of State Police

The Department of State Police Technical Surveillance Unit places between 10 and 30 cameras per year, including pole and vehicular cameras, throughout the State for investigative purposes. Other units also use video camera surveillance during the course of investigations.

The State Police advise that the required hearings could result in the disclosure of sensitive information relating to ongoing investigations, which could compromise both the investigations and the safety of officers. They further advise that many investigations require the placement of cameras on short notice, which would not be possible if a hearing is required.

Department of Natural Resources (DNR)

The Maryland Park Service utilizes video surveillance cameras in public areas under its management to provide security and crime deterrence. The Natural Resources Police also utilize video surveillance cameras for investigative and enforcement purposes. DNR advises that the requirement for a hearing and prior approval for use of cameras for law enforcement purposes would have a negative operational impact on these activities.

DNR estimates that the Park Service may install as many as 10 additional cameras in any given year.

Department of Transportation

The Maryland Transportation Authority (MTA) advises that it could have as many as 466 cameras in operation by October 1. MTA uses cameras for traffic control, law enforcement, building surveillance, and toll enforcement. Between 750 and 1,100 additional cameras are proposed or currently under study. MTA advises that the request for approval and hearings for placement of cameras could require additional staffing.

The Maryland Aviation Administration (MAA) currently uses closed circuit television cameras within Baltimore-Washington International Airport for security purposes. The inability of MAA to place surveillance cameras within the airport may also affect the

agency's ability to request federal funding due to requirements of the Federal Aviation Administration and the Transportation Security Administration.

Local Fiscal Effect: Although the hearing fees do not apply to political subdivisions, local governments may experience an operational effect due to the requirement that all video surveillance cameras be approved prior to use.

Local law enforcement agencies that currently utilize video surveillance for investigative and crime prevention purposes may experience operational effects similar to those of State agencies based on the requirement that hearings be held prior to placement of video surveillance cameras.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Wicomico County, Allegany County, Montgomery County, Prince George's County, Talbot County, Baltimore City, Department of Natural Resources, Comptroller's Office, Department of Disabilities, Department of State Police, Department of Health and Mental Hygiene, Department of Aging, Maryland Department of Transportation, Department of Legislative Services

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Analysis by: Kineta A. Rotan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510