Laws

of the

State of Maryland

At the Session of the General Assembly Begun and Held in the
City of Annapolis on the Ninth Day of January 2013
and Ending on the Eighth Day of April 2013

VOLUME V

The Department of Legislative Services
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Chapter 422

(Senate Bill 829)

AN ACT concerning

Transportation Trust Fund~~– Financing~~ – Use of Funds

FOR the purpose of ~~adding a new section to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation, except in certain circumstances; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; providing that this addition does not prohibit the allocation or use of highway user revenues for counties, municipalities, and Baltimore City as authorized by law; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; authorizing the transfer of funds from the Transportation Trust Fund if the Governor and the General Assembly take certain actions; submitting this amendment to the qualified voters of the State for their adoption or rejection; and generally relating to the financing and use of funds of the Transportation Trust Fund~~ *proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation except under certain circumstances; prohibiting the transfer of funds in the Transportation Trust Fund to the General Fund or a special fund of the State except under certain circumstances; providing that this amendment does not apply to the allocation or use of certain funds in the Transportation Trust Fund for counties, municipalities, and Baltimore City as authorized by law or a transfer of funds in the Transportation Trust Fund to the Maryland Transportation Authority or the Maryland Transportation Authority Fund; authorizing funds in the Transportation Trust Fund to be used for a purpose not related to transportation or transferred to the General Fund or a special fund of the State if the Governor and the General Assembly take certain action; and submitting this amendment to the qualified voters of the State for their adoption or rejection*.

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 53

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, (Three–fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Maryland Constitution read as follows:

Article III – Legislative Department

53.

(A) THERE IS A TRANSPORTATION TRUST FUND.

(B) EXCEPT AS PROVIDED IN SUBSECTION ~~(F)~~ *(E)* OF THIS SECTION, THE FUNDS IN THE TRANSPORTATION TRUST FUND MAY BE USED ONLY:

(1) FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON TRANSPORTATION BONDS AS THEY BECOME DUE AND PAYABLE; AND

(2) AFTER MEETING DEBT SERVICE REQUIREMENTS FOR TRANSPORTATION BONDS, FOR ANY LAWFUL PURPOSE RELATED TO THE CONSTRUCTION AND MAINTENANCE OF AN ADEQUATE HIGHWAY SYSTEM IN THE STATE OR ANY OTHER PURPOSE RELATED TO TRANSPORTATION.

~~**(C) NO PART OF THE TRANSPORTATION TRUST FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OR A SPECIAL FUND OF THE STATE.**~~

~~**(D) THIS SECTION DOES NOT PROHIBIT THE ALLOCATION OR USE OF HIGHWAY USER REVENUES FOR THE COUNTIES, MUNICIPALITIES, OR BALTIMORE CITY THAT IS AUTHORIZED UNDER TITLE 8, SUBTITLE 4 OF THE TRANSPORTATION ARTICLE.**~~

~~**(E) THERE SHALL BE CREDITED TO THE TRANSPORTATION TRUST FUND THE FOLLOWING TAXES, FEES, CHARGES, AND REVENUES:**~~

~~**(1) THE CASH PROCEEDS OF THE SALE OF CONSOLIDATED TRANSPORTATION BONDS, NOTES, OR OTHER EVIDENCES OF OBLIGATION ISSUED FOR TRANSPORTATION PURPOSES;**~~

~~**(2) ALL FEDERAL FUNDS PROVIDED TO THE STATE FOR TRANSPORTATION PURPOSES;**~~

~~**(3) NOT LESS THAN THE PORTION OF MOTOR FUEL TAX REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER TITLE 2, SUBTITLE 11 OF THE TAX – GENERAL ARTICLE AS IT WAS IN EFFECT ON JULY 1, 2012;**~~

~~**(4) NOT LESS THAN THE PORTION OF MOTOR CARRIER TAX REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER TITLE 2, SUBTITLE 10 OF THE TAX – GENERAL ARTICLE AS IT WAS IN EFFECT ON JULY 1, 2012;**~~

~~**(5) NOT LESS THAN THE PORTION OF VEHICLE EXCISE TAX REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER §**~~

~~13–814 OF THE TRANSPORTATION ARTICLE AS IT WAS IN EFFECT ON JULY 1, 2012;~~

~~(6) NOT LESS THAN THE PORTION OF CORPORATE INCOME TAX REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER § 2–614 OF THE TAX – GENERAL ARTICLE AS IT WAS IN EFFECT ON JULY 1, 2012;~~

~~(7) NOT LESS THAN THE PORTION OF SALES AND USE TAX REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER TITLE 2, SUBTITLE 13 OF THE TAX – GENERAL ARTICLE AS IT WAS IN EFFECT ON JULY 1, 2012;~~

~~(8) VEHICLE REGISTRATION FEES COLLECTED UNDER TITLE 13, SUBTITLE 9, PART II OF THE TRANSPORTATION ARTICLE;~~

~~(9) NOT LESS THAN THE PORTION OF REVENUE FROM ALL OTHER FEES COLLECTED BY THE MOTOR VEHICLE ADMINISTRATION AND DISTRIBUTED IN WHOLE OR IN PART TO THE TRANSPORTATION TRUST FUND UNDER THE TRANSPORTATION ARTICLE AS IT WAS IN EFFECT ON JULY 1, 2012;~~

~~(10) OPERATING REVENUES FROM FARES, FEES, RATES, RENTALS, AND OTHER CHARGES IMPOSED BY THE MARYLAND TRANSIT ADMINISTRATION, THE MARYLAND AVIATION ADMINISTRATION, AND THE MARYLAND PORT ADMINISTRATION FOR THE USE OF THEIR SERVICES OR FACILITIES; AND~~

~~(11) ALL OTHER FUNDS DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER A LAW IN EFFECT ON JULY 1, 2012.~~

~~(F) FUNDS IN THE TRANSPORTATION TRUST FUND MAY BE TRANSFERRED FOR ANOTHER PURPOSE IF:~~

~~(1) THE GOVERNOR, BY EXECUTIVE ORDER, DECLARES A FISCAL EMERGENCY EXISTS; AND~~

~~(2) THE GENERAL ASSEMBLY, BY LEGISLATION PASSED UPON A YEA AND NAY VOTE SUPPORTED BY THREE–FIFTHS OF ALL THE MEMBERS ELECTED TO EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY, CONCURS WITH THE USE OF THE FUNDS.~~

(C) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, FUNDS IN THE TRANSPORTATION TRUST FUND MAY NOT BE TRANSFERRED TO THE GENERAL FUND OR A SPECIAL FUND OF THE STATE.

(D) THIS SECTION DOES NOT APPLY TO:

(1) AN ALLOCATION OR USE OF HIGHWAY USER REVENUES FOR THE COUNTIES, MUNICIPALITIES, OR BALTIMORE CITY THAT IS AUTHORIZED UNDER TITLE 8, SUBTITLE 4 OF THE TRANSPORTATION ARTICLE; OR

(2) A TRANSFER OF FUNDS IN THE TRANSPORTATION TRUST FUND TO THE MARYLAND TRANSPORTATION AUTHORITY OR THE MARYLAND TRANSPORTATION AUTHORITY FUND.

(E) FUNDS IN THE TRANSPORTATION TRUST FUND MAY BE USED FOR A PURPOSE NOT RELATED TO TRANSPORTATION OR TRANSFERRED TO THE GENERAL FUND OR A SPECIAL FUND OF THE STATE IF:

(1) THE GOVERNOR, BY EXECUTIVE ORDER, DECLARES A FISCAL EMERGENCY EXISTS; AND

(2) THE GENERAL ASSEMBLY, BY LEGISLATION PASSED ON A YEA AND NAY VOTE SUPPORTED BY THREE–FIFTHS OF ALL THE MEMBERS ELECTED TO EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY, CONCURS WITH THE USE OR TRANSFER OF THE FUNDS.

SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed by this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply.

SECTION 3. AND BE IT FURTHER ENACTED, That the aforegoing section proposed as an amendment to the Maryland Constitution shall be submitted to the qualified voters of the State at the next general election to be held in November 2014 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that general election, the vote on this proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against the Constitutional Amendment," as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV.

Assigned a chapter number, enactment subject to constitutional referendum, May 2, 2013.

Chapter 423

(House Bill 100)

AN ACT concerning

Budget Bill

(Fiscal Year 2014)

FOR the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2014, in accordance with Article III, Section 52 of the Maryland Constitution; and generally relating to appropriations and budgetary provisions made pursuant to that section.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That subject to the provisions hereinafter set forth and subject to the Public General Laws of Maryland relating to the Budget procedure, the several amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for the several purposes specified for the fiscal year beginning July 1, 2013, and ending June 30, 2014, as hereinafter indicated.

PAYMENTS TO CIVIL DIVISIONS OF THE STATE

A15O00.01 Disparity Grants	
General Fund Appropriation	121,436,013
A15O00.02 Teacher Retirement Supplemental Grants	
General Fund Appropriation	27,658,662

SUMMARY

Total General Fund Appropriation	149,094,675

GENERAL ASSEMBLY OF MARYLAND

B75A01.01 Senate	
General Fund Appropriation	11,987,713
B75A01.02 House of Delegates	
General Fund Appropriation	22,941,229
B75A01.03 General Legislative Expenses	

General Fund Appropriation 1,020,255

DEPARTMENT OF LEGISLATIVE SERVICES

B75A01.04 Office of the Executive Director
General Fund Appropriation 10,932,585

B75A01.05 Office of Legislative Audits
General Fund Appropriation 12,640,879

B75A01.06 Office of Legislative Information Systems
General Fund Appropriation 4,935,180

B75A01.07 Office of Policy Analysis
General Fund Appropriation 16,100,003

SUMMARY

Total General Fund Appropriation 80,557,844

JUDICIARY

Provided that 31 positions and $3,224,902 in general funds are contingent upon the enactment of HB 83 or SB 239.

Further provided that a $598,481 general fund reduction is made and 12 new positions are abolished.

Further provided that a $297,535 general fund reduction is made and the conversion of 16 positions denied.

Further provided that a $2,353,940 general fund reduction is made for operating expenditures.

C00A00.01 Court of Appeals
General Fund Appropriation 16,039,202
Federal Fund Appropriation 78,016 16,117,218

C00A00.02 Court of Special Appeals
General Fund Appropriation 10,248,933

C00A00.03 Circuit Court Judges		
General Fund Appropriation	61,014,837	
Federal Fund Appropriation	633,148	61,647,985
C00A00.04 District Court		
General Fund Appropriation		~~155,661,410~~ 155,187,416
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
C00A00.05 Maryland Judicial Conference		
General Fund Appropriation		107,650
C00A00.06 Administrative Office of the Courts		
General Fund Appropriation, provided that $1,000,000 may not be expended unless:		
(1) the Judiciary and the Department of Human Resources (DHR) have taken corrective action with respect to the finding in the DHR audit concerning the electronic exchange of data for the purpose of license suspensions on or before January 1, 2014; and		
(2) a report is submitted to the budget committees by the Office of Legislative Audits with a determination that this finding was corrected. The budget committees shall have 45 days to review and comment from the date of submission of the report	~~26,325,533~~ *25,825,533*	
Special Fund Appropriation	16,100,000	
Federal Fund Appropriation	408,350	~~42,833,883~~ *42,333,883*

C00A00.07 Court Related Agencies		
General Fund Appropriation		5,826,557
C00A00.08 State Law Library		
General Fund Appropriation	2,766,063	
Special Fund Appropriation	8,700	2,774,763
C00A00.09 Judicial Information Systems		
General Fund Appropriation	36,932,574	
Special Fund Appropriation	7,012,068	43,944,642
C00A00.10 Clerks of the Circuit Court		
General Fund Appropriation	79,439,458	
Special Fund Appropriation	~~17,520,087~~ *17,270,087*	
Federal Fund Appropriation	2,999,244	~~99,958,789~~ *99,708,789*
C00A00.11 Family Law Division		
General Fund Appropriation	15,497,090	
Federal Fund Appropriation	58,766	15,555,856
C00A00.12 Major Information Technology Development Projects		
Special Fund Appropriation		13,331,401

SUMMARY

Total General Fund Appropriation	408,885,313
Total Special Fund Appropriation	53,722,256
Total Federal Fund Appropriation	4,177,524
Total Appropriation	466,785,093

OFFICE OF THE PUBLIC DEFENDER

C80B00.01 General Administration		
General Fund Appropriation		6,550,626
C80B00.02 District Operations		
General Fund Appropriation	79,248,245	

Special Fund Appropriation	193,529	79,441,774

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

C80B00.03 Appellate and Inmate Services

General Fund Appropriation		5,779,598

C80B00.04 Involuntary Institutionalization Services

General Fund Appropriation		1,345,189

SUMMARY

Total General Fund Appropriation	92,923,658
Total Special Fund Appropriation	193,529
Total Appropriation	93,117,187

OFFICE OF THE ATTORNEY GENERAL

C81C00.01 Legal Counsel and Advice

General Fund Appropriation	5,112,319	
Special Fund Appropriation	457,206	5,569,525

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

C81C00.04 Securities Division

General Fund Appropriation		2,316,944

C81C00.05 Consumer Protection Division

Special Fund Appropriation		4,767,127

Funds are appropriated in other agency

budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

C81C00.06 Antitrust Division		
General Fund Appropriation		885,886
C81C00.09 Medicaid Fraud Control Unit		
General Fund Appropriation	933,114	
Federal Fund Appropriation	2,799,345	3,732,459
C81C00.10 People's Insurance Counsel Division		
Special Fund Appropriation		562,740
C81C00.12 Juvenile Justice Monitoring Program		
General Fund Appropriation		530,119
C81C00.14 Civil Litigation Division		
General Fund Appropriation	2,221,302	
Special Fund Appropriation	550,291	2,771,593

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

C81C00.15 Criminal Appeals Division		
General Fund Appropriation		2,611,554
C81C00.16 Criminal Investigation Division		
General Fund Appropriation		1,732,223

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

C81C00.17 Educational Affairs Division		
General Fund Appropriation		428,222

C81C00.18 Correctional Litigation Division
General Fund Appropriation 307,345

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

C81C00.20 Contract Litigation Division

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

C81C00.21 Mortgage Foreclosure Settlement Program
Special Fund Appropriation 657,822

SUMMARY

Total General Fund Appropriation	17,079,028
Total Special Fund Appropriation	6,995,186
Total Federal Fund Appropriation	2,799,345
Total Appropriation	26,873,559

OFFICE OF THE STATE PROSECUTOR

C82D00.01 General Administration
General Fund Appropriation 1,286,123

MARYLAND TAX COURT

C85E00.01 Administration and Appeals
General Fund Appropriation 606,354

PUBLIC SERVICE COMMISSION

C90G00.01 General Administration and Hearings		
Special Fund Appropriation	9,524,116	
Federal Fund Appropriation	80,520	9,604,636
C90G00.02 Telecommunications, Gas, and Water Division		
Special Fund Appropriation		606,344
C90G00.03 Engineering Investigations		
Special Fund Appropriation	1,091,479	
Federal Fund Appropriation	344,521	1,436,000
C90G00.04 Accounting Investigations		
Special Fund Appropriation		595,467
C90G00.05 Common Carrier Investigations		
Special Fund Appropriation		1,406,356
C90G00.06 Washington Metropolitan Area Transit Commission		
Special Fund Appropriation		373,076
C90G00.07 Electricity Division		
Special Fund Appropriation		442,743
C90G00.08 Hearing Examiner Division		
Special Fund Appropriation		714,225
C90G00.09 Staff Counsel		
Special Fund Appropriation		878,492
C90G00.10 Energy Analysis and Planning Division		
Special Fund Appropriation		919,613

SUMMARY

Total Special Fund Appropriation	16,551,911
Total Federal Fund Appropriation	425,041
Total Appropriation	16,976,952

OFFICE OF THE PEOPLE'S COUNSEL

C91H00.01 General Administration
Special Fund Appropriation 3,509,709

SUBSEQUENT INJURY FUND

C94I00.01 General Administration
Special Fund Appropriation 2,150,226

UNINSURED EMPLOYERS' FUND

C96J00.01 General Administration
Special Fund Appropriation 1,388,382

WORKERS' COMPENSATION COMMISSION

C98F00.01 General Administration
Special Fund Appropriation 13,983,796

BOARD OF PUBLIC WORKS

D05E01.01 Administration Office
General Fund Appropriation 840,496

D05E01.02 Contingent Fund
To the Board of Public Works to be used by the Board in its judgment (1) for supplementing appropriations made in the budget for fiscal year 2014 when the regular appropriations are insufficient for the operating expenses of the government beyond those that are contemplated at the time of the appropriation of the budget for this fiscal year, or (2) for any other contingencies that might arise within the State or other governmental agencies during the fiscal year or any other purposes provided by law, when adequate provision for such contingencies or purposes has not been made in this budget.
General Fund Appropriation, provided that it is the intent of the General Assembly that

up to $300,000 of this appropriation, if determined by the Board of Public Works to be appropriate, be expended as a grant to the Alan and Kristin Hudson family for any remaining unreimbursed legal expenses or court costs related to defending the lawsuit brought by the Waterkeeper Alliance alleging violations of the Clean Water Act. The amount of the grant, if any, shall be determined by the Board of Public Works based on documented legal expenses and court costs remaining after deducting any award of legal expenses by a federal court to the Hudson family and taking into consideration private funds raised for the purpose of paying legal expenses 500,000

D05E01.05 Wetlands Administration
General Fund Appropriation 204,894

D05E01.10 Miscellaneous Grants to Private Non–Profit Groups
General Fund Appropriation 6,285,768

To provide annual grants to private groups and sponsors which have statewide implications and merit State support.

Council of State Governments	163,267
Historic Annapolis Foundation	482,000
Maryland Zoo in Baltimore	5,175,218
Maryland Science Center	465,283

D05E01.15 Payments of Judgments Against the State
General Fund Appropriation 123,125

SUMMARY

Total General Fund Appropriation 7,954,283

BOARD OF PUBLIC WORKS – CAPITAL APPROPRIATION

D06E02.02 Public School Capital Appropriation
General Fund Appropriation 25,000,000

EXECUTIVE DEPARTMENT – GOVERNOR

D10A01.01 General Executive Direction and Control		
General Fund Appropriation		11,393,364

OFFICE OF THE DEAF AND HARD OF HEARING

D11A04.01 Executive Direction		
General Fund Appropriation		329,395

DEPARTMENT OF DISABILITIES

D12A02.01 General Administration		
General Fund Appropriation	2,767,270	
Special Fund Appropriation	192,441	
Federal Fund Appropriation	1,588,293	4,548,004

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

MARYLAND ENERGY ADMINISTRATION

D13A13.01 General Administration		
Special Fund Appropriation	4,413,895	
Federal Fund Appropriation	715,214	5,129,109

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D13A13.02 The Jane E. Lawton Conservation Loan Program – Capital Appropriation		
Special Fund Appropriation		1,750,000

D13A13.03 State Agency Loan Program – Capital Appropriation		
Special Fund Appropriation	1,200,000	
Federal Fund Appropriation	700,000	1,900,000

D13A13.04 Maryland Energy Efficiency Grant Program

General Fund Appropriation~~, provided that the Commercial and Industrial Sector Deep Retrofit Grant Program shall be expended only on a matching fund basis and that the State share of the project may equal no more than 50% of the total estimated project cost net of utility rebates.~~

~~Further provided that $4,500,000~~ ~~*$5,000,000*~~ ~~of this appropriation made for the purpose of the Commercial and Industrial Sector Deep Retrofit Grant Program may not be expended until the Maryland Energy Administration submits a report to the budget committees on:~~

~~(1) the process for selecting grantees, including how projects were ranked based on energy savings and leveraging opportunities;~~

~~(2) the list of grantees; and~~

~~(3) the leveraging of funds associated with each grant.~~

~~The budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees~~ ...

, provided that the Commercial and Industrial Sector Deep Retrofit Grant Program shall only be expended on a

matching fund basis and that the State share of the project may equal no more than 50 percent of the total estimated project cost net of utility rebates. The Maryland Energy Administration (MEA) shall provide a report to the budget committees by January 31, 2014, on the list of grantees and the leveraging of funds associated with each grant. Further provided that $1,000,000 of this appropriation made for the purpose of the Commercial and Industrial Sector Deep Retrofit Grant Program may not be expended until MEA submits a report to the budget committees on the process for selecting grantees, including how projects will be ranked based on energy savings and leveraging opportunities. The report shall be submitted by July 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees ..... ~~11,700,000~~ 7,200,000

D13A13.06 Energy Efficiency and Conservation Programs, Low and Moderate Income Residential Sector
Special Fund Appropriation 3,035,000

D13A13.07 Energy Efficiency and Conservation Programs, All Other Sectors
Special Fund Appropriation 629,136
Federal Fund Appropriation 78,098 707,234

D13A13.08 Renewable and Clean Energy Programs and Initiatives
Special Fund Appropriation 11,239,777

SUMMARY

Total General Fund Appropriation		7,200,000
Total Special Fund Appropriation		22,267,808
Total Federal Fund Appropriation		1,493,312
Total Appropriation		30,961,120

BOARDS, COMMISSIONS, AND OFFICES

D15A05.01 Survey Commissions		
General Fund Appropriation		110,000
D15A05.03 Office of Minority Affairs		
General Fund Appropriation		1,361,987
D15A05.05 Governor's Office of Community Initiatives		
General Fund Appropriation	2,114,815	
Special Fund Appropriation	251,150	
Federal Fund Appropriation	3,816,833	6,182,798
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
D15A05.06 State Ethics Commission		
General Fund Appropriation	823,647	
Special Fund Appropriation	284,123	1,107,770
D15A05.07 Health Care Alternative Dispute Resolution Office		
General Fund Appropriation	352,235	
Special Fund Appropriation	45,000	397,235
D15A05.16 Governor's Office of Crime Control and Prevention		
General Fund Appropriation	95,182,551	
Special Fund Appropriation	2,274,095	
Federal Fund Appropriation	20,448,893	117,905,539

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D15A05.20 State Commission on Criminal Sentencing Policy

General Fund Appropriation		360,000

D15A05.22 Governor's Grants Office

General Fund Appropriation	387,926	
Special Fund Appropriation	30,000	417,926

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D15A05.23 State Labor Relations Board

General Fund Appropriation		349,165

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SUMMARY

Total General Fund Appropriation	101,042,326
Total Special Fund Appropriation	2,884,368
Total Federal Fund Appropriation	24,265,726
Total Appropriation	128,192,420

SECRETARY OF STATE

D16A06.01 Office of the Secretary of State		
General Fund Appropriation	1,928,399	
Special Fund Appropriation	365,970	2,294,369

HISTORIC ST. MARY'S CITY COMMISSION

D17B01.51 Administration		
General Fund Appropriation	2,108,000	
Special Fund Appropriation	969,147	3,077,147

GOVERNOR'S OFFICE FOR CHILDREN

D18A18.01 Governor's Office for Children		
General Fund Appropriation		1,634,000

BOARD OF PUBLIC WORKS – INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION

D25E03.01 General Administration		
General Fund Appropriation, provided that $50,000 of this appropriation made for the purpose of General Administration may not be expended until the Interagency Committee for School Construction submits fiscal 2011 and 2012 annual maintenance reports to the budget committees. The reports shall be submitted by September 2, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees		1,595,178
D25E03.02 Aging Schools Program		
General Fund Appropriation		84,273

SUMMARY

Total General Fund Appropriation	1,679,451

DEPARTMENT OF AGING

D26A07.01 General Administration		
General Fund Appropriation	20,040,103	
Special Fund Appropriation	421,823	
Federal Fund Appropriation	26,364,656	46,826,582

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D26A07.02 Senior Centers Operating Fund		
General Fund Appropriation		500,000

SUMMARY

Total General Fund Appropriation	20,540,103
Total Special Fund Appropriation	421,823
Total Federal Fund Appropriation	26,364,656
Total Appropriation	47,326,582

MARYLAND COMMISSION ON CIVIL RIGHTS

D27L00.01 General Administration		
General Fund Appropriation	~~2,514,893~~	
	2,453,071	
Federal Fund Appropriation	~~687,188~~	~~3,202,081~~
	672,610	3,125,681

MARYLAND STADIUM AUTHORITY

D28A03.02 Maryland Stadium Facilities Fund		
Special Fund Appropriation		20,000,000
D28A03.55 Baltimore Convention Center		
General Fund Appropriation		9,016,587
D28A03.58 Ocean City Convention Center		

General Fund Appropriation 2,695,715

D28A03.59 Montgomery County Conference Center
General Fund Appropriation 1,644,060

D28A03.60 Hippodrome Performing Arts Center
General Fund Appropriation 1,389,493

SUMMARY

Total General Fund Appropriation	14,745,855
Total Special Fund Appropriation	20,000,000
Total Appropriation	34,745,855

STATE BOARD OF ELECTIONS

It is the intent of the General Assembly that funding for the purpose of procuring a new Optical Scan Voting System as authorized by Chapter 428 of the Acts of the General Assembly of 2009 be provided in fiscal 2015.

D38I01.01 General Administration

General Fund Appropriation, provided that $25,000 of this appropriation may not be expended until the State Board of Elections submits a report to the budget committees on the progress made to resolve the security issues related to the online voter registration system. The report shall be submitted to the budget committees by December 15, 2013. The budget committees shall have 45 days to review and comment on the report. Funds restricted pending receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted	3,853,739	
Special Fund Appropriation	105,921	3,959,660

D38I01.02 Help America Vote Act

General Fund Appropriation	4,738,521	
Special Fund Appropriation	8,863,944	
Federal Fund Appropriation	200,000	13,802,465

D38I01.03 Major Information Technology Development Projects

Special Fund Appropriation*, provided that $1,200,000 in special funds made for the purpose of planning for the Optical Scan Voting System may be used only for that purpose and may not be transferred by budget amendment or otherwise for any other purpose. Funding not used for this restricted purpose shall be canceled*	1,200,000

SUMMARY

Total General Fund Appropriation	8,592,260
Total Special Fund Appropriation	10,169,865
Total Federal Fund Appropriation	200,000
Total Appropriation	18,962,125

MARYLAND STATE BOARD OF CONTRACT APPEALS

D39S00.01 Contract Appeals Resolution

General Fund Appropriation	655,297

DEPARTMENT OF PLANNING

D40W01.01 Administration

General Fund Appropriation	~~2,889,090~~ 2,875,244

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D40W01.02 Communications and

Intergovernmental Affairs		
General Fund Appropriation		977,402
D40W01.03 Planning Data Services		
General Fund Appropriation	1,518,640	
Special Fund Appropriation	281,149	1,799,789

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D40W01.04 Planning Services		
General Fund Appropriation	2,314,109	
Federal Fund Appropriation	52,514	2,366,623

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D40W01.07 Management Planning and Educational Outreach		
General Fund Appropriation	1,048,821	
Special Fund Appropriation	3,105,954	
Federal Fund Appropriation	266,248	4,421,023

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D40W01.08 Museum Services		
General Fund Appropriation	1,915,036	
Special Fund Appropriation	664,062	
Federal Fund Appropriation	80,581	2,659,679

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D40W01.09 Research Survey and Registration		
General Fund Appropriation	830,208	
Special Fund Appropriation	53,007	
Federal Fund Appropriation	325,702	1,208,917

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D40W01.10 Preservation Services		
General Fund Appropriation	491,002	
Special Fund Appropriation	346,182	
Federal Fund Appropriation	277,920	1,115,104

D40W01.11 Historic Preservation – Capital Appropriation	
Special Fund Appropriation	100,000
D40W01.12 Sustainable Communities Tax Credit	
General Fund Appropriation	10,000,000

SUMMARY

Total General Fund Appropriation	21,970,462
Total Special Fund Appropriation	4,550,354
Total Federal Fund Appropriation	1,002,965
Total Appropriation	27,523,781

MILITARY DEPARTMENT

MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE

D50H01.01 Administrative Headquarters		
General Fund Appropriation	2,752,408	
Special Fund Appropriation	52,276	
Federal Fund Appropriation	55,228	2,859,912
D50H01.02 Air Operations and Maintenance		
General Fund Appropriation	634,628	
Federal Fund Appropriation	4,286,944	4,921,572
D50H01.03 Army Operations and Maintenance		
General Fund Appropriation	3,979,790	
Special Fund Appropriation	121,991	
Federal Fund Appropriation	7,490,720	11,592,501
D50H01.04 Capital Appropriation		
Federal Fund Appropriation		1,998,000
D50H01.05 State Operations		
General Fund Appropriation	2,571,081	
Federal Fund Appropriation	2,981,768	5,552,849
D50H01.06 Maryland Emergency Management Agency		
General Fund Appropriation	2,249,950	
Special Fund Appropriation	12,825,000	
Federal Fund Appropriation	36,124,692	51,199,642

SUMMARY

Total General Fund Appropriation	12,187,857
Total Special Fund Appropriation	12,999,267
Total Federal Fund Appropriation	52,937,352
Total Appropriation	78,124,476

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS

D53T00.01 General Administration		
Special Fund Appropriation	12,625,210	
Federal Fund Appropriation	129,482	12,754,692

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

D53T00.02 Major Information Technology Development Projects

Special Fund Appropriation		427,513

SUMMARY

Total Special Fund Appropriation	13,052,723
Total Federal Fund Appropriation	129,482
Total Appropriation	13,182,205

DEPARTMENT OF VETERANS AFFAIRS

D55P00.01 Service Program

General Fund Appropriation		1,067,308

D55P00.02 Cemetery Program

General Fund Appropriation	1,475,461	
Special Fund Appropriation	646,130	
Federal Fund Appropriation	1,655,484	3,777,075

D55P00.03 Memorials and Monuments Program

General Fund Appropriation		408,832

D55P00.04 Cemetery Program – Capital Appropriation

General Fund Appropriation	414,000	
Federal Fund Appropriation	5,983,000	6,397,000

D55P00.05 Veterans Home Program

General Fund Appropriation	2,738,528	
Special Fund Appropriation	50,000	
Federal Fund Appropriation	11,830,695	14,619,223

D55P00.08 Executive Direction		
General Fund Appropriation	1,012,365	
Special Fund Appropriation	100,000	1,112,365
D55P00.11 Outreach and Advocacy		
General Fund Appropriation		183,838

SUMMARY

Total General Fund Appropriation	7,300,332
Total Special Fund Appropriation	796,130
Total Federal Fund Appropriation	19,469,179
Total Appropriation	27,565,641

STATE ARCHIVES

D60A10.01 Archives		
General Fund Appropriation	1,786,740	
Special Fund Appropriation	6,422,271	
Federal Fund Appropriation	149,041	8,358,052
D60A10.02 Artistic Property		
General Fund Appropriation	229,312	
Special Fund Appropriation	98,002	327,314

SUMMARY

Total General Fund Appropriation	2,016,052
Total Special Fund Appropriation	6,520,273
Total Federal Fund Appropriation	149,041
Total Appropriation	8,685,366

MARYLAND HEALTH BENEFIT EXCHANGE

D78Y01.01 Maryland Health Benefit Exchange		
General Fund Appropriation	7,649,811	
Federal Fund Appropriation	15,217,460	22,867,271

D78Y01.02 Major Information Technology Development Projects		
General Fund Appropriation	6,490,789	
Federal Fund Appropriation	55,564,208	62,054,997

SUMMARY

Total General Fund Appropriation	14,140,600
Total Federal Fund Appropriation	70,781,668
Total Appropriation	84,922,268

MARYLAND HEALTH INSURANCE PLAN

HEALTH INSURANCE SAFETY NET PROGRAMS

D79Z02.01 MHIP High–Risk Pools		
Special Fund Appropriation	157,244,555	
Federal Fund Appropriation	27,083,612	184,328,167
D79Z02.02 Senior Prescription Drug Assistance Program		
Special Fund Appropriation		18,194,463

SUMMARY

Total Special Fund Appropriation	175,439,018
Total Federal Fund Appropriation	27,083,612
Total Appropriation	202,522,630

MARYLAND INSURANCE ADMINISTRATION

INSURANCE ADMINISTRATION AND REGULATION

D80Z01.01 Administration and Operations		
Special Fund Appropriation	28,058,889	
Federal Fund Appropriation	1,314,640	29,373,529

D80Z01.02 Major Information Technology Development Projects
Special Fund Appropriation 1,790,000

SUMMARY

Total Special Fund Appropriation 29,848,889
Total Federal Fund Appropriation 1,314,640

Total Appropriation 31,163,529

CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY

D90U00.01 General Administration
Special Fund Appropriation 654,122

OFFICE OF ADMINISTRATIVE HEARINGS

D99A11.01 General Administration
Special Fund Appropriation 877,879

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

COMPTROLLER OF MARYLAND

OFFICE OF THE COMPTROLLER

E00A01.01 Executive Direction
General Fund Appropriation 3,254,588
Special Fund Appropriation 571,750 3,826,338

E00A01.02 Financial and Support Services
General Fund Appropriation 2,394,624
Special Fund Appropriation 404,382 2,799,006

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SUMMARY

Total General Fund Appropriation	5,649,212
Total Special Fund Appropriation	976,132
Total Appropriation	6,625,344

GENERAL ACCOUNTING DIVISION

E00A02.01 Accounting Control and Reporting

General Fund Appropriation	5,278,813

BUREAU OF REVENUE ESTIMATES

E00A03.01 Estimating of Revenues

General Fund Appropriation	~~847,196~~ 843,696

REVENUE ADMINISTRATION DIVISION

E00A04.01 Revenue Administration

General Fund Appropriation	~~27,656,292~~ ~~27,654,292~~ *27,474,837*	
Special Fund Appropriation	4,961,415	~~32,617,707~~ ~~32,615,707~~ *32,436,252*

E00A04.02 Major Information Technology Development Projects

Special Fund Appropriation	1,280,990

SUMMARY

Total General Fund Appropriation	27,474,837

Total Special Fund Appropriation		6,242,405
Total Appropriation		33,717,242

COMPLIANCE DIVISION

E00A05.01 Compliance Administration		
General Fund Appropriation	23,113,740	
Special Fund Appropriation~~, provided that this appropriation shall be reduced by $500,000 contingent upon the enactment of legislation to repeal the provisions of law related to the current notification procedure for abandoned property including the requirement to advertise abandoned property in local newspapers on an annual basis~~	8,777,048	31,890,788

FIELD ENFORCEMENT DIVISION

E00A06.01 Field Enforcement Administration		
General Fund Appropriation	~~2,495,550~~ 2,488,550	
Special Fund Appropriation	~~2,871,175~~ 2,868,175	~~5,366,725~~ 5,356,725

CENTRAL PAYROLL BUREAU

E00A09.01 Payroll Management		
General Fund Appropriation	2,458,640	
Special Fund Appropriation	162,362	2,621,002

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

INFORMATION TECHNOLOGY DIVISION

E00A10.01 Annapolis Data Center Operations

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

E00A10.02 Comptroller IT Services		
General Fund Appropriation	11,481,705	
Special Fund Appropriation	1,771,797	13,253,502

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

STATE TREASURER'S OFFICE

TREASURY MANAGEMENT

E20B01.01 Treasury Management		
General Fund Appropriation	5,072,649	
Special Fund Appropriation	624,213	5,696,862

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

INSURANCE PROTECTION

E20B02.01 Insurance Management

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

E20B02.02 Insurance Coverage

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

BOND SALE EXPENSES

E20B03.01 Bond Sale Expenses		
General Fund Appropriation	50,000	
Special Fund Appropriation	1,861,875	1,911,875

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION

E50C00.01 Office of the Director		
General Fund Appropriation		2,705,929
E50C00.02 Real Property Valuation		
General Fund Appropriation	16,461,865	
Special Fund Appropriation	16,461,891	32,923,756
E50C00.04 Office of Information Technology		
General Fund Appropriation	2,402,615	
Special Fund Appropriation	2,402,613	4,805,228
E50C00.05 Business Property Valuation		
General Fund Appropriation	1,707,045	
Special Fund Appropriation	1,707,043	3,414,088
E50C00.06 Tax Credit Payments		
General Fund Appropriation		80,232,330
E50C00.08 Property Tax Credit Programs		
General Fund Appropriation	1,783,611	
Special Fund Appropriation	820,153	2,603,764
E50C00.10 Charter Unit		
General Fund Appropriation	71,012	
Special Fund Appropriation	5,213,169	5,284,181

SUMMARY

Total General Fund Appropriation	105,364,407
Total Special Fund Appropriation	26,604,869
Total Appropriation	131,969,276

STATE LOTTERY AND GAMING CONTROL AGENCY

E75D00.01 Administration and Operations

Special Fund Appropriation, provided that no portion of this appropriation may be expended for the implementation of the sales of traditional lottery games over the Internet until the State Lottery and Gaming Control Agency reports to the budget committees on a proposed platform and regulatory structure for a program of online sales. The budget committees shall have 45 days to review and comment on the report. Further, before the State Lottery and Gaming Control Agency promulgates regulations to authorize the sale of traditional lottery games over the Internet, the agency shall (1) solicit the input of all licensed lottery agents; and (2) conduct a public hearing. The date of the public hearing shall be conspicuously posted on the agency's Web site at least 30 days prior to the hearing date.

Further provided that no portion of this appropriation may be expended for the implementation of the sales of traditional lottery games over the Internet until the Legislative Policy Committee has had 45 days to review and comment on the report submitted to the budget committees ..... ~~56,314,446~~ 55,948,446

E75D00.02 Video Lottery Terminal and Gaming Operations

General Fund Appropriation 86,476,648

Special Fund Appropriation	13,462,265	99,938,913

SUMMARY

Total General Fund Appropriation	86,476,648
Total Special Fund Appropriation	69,410,711
Total Appropriation	155,887,359

PROPERTY TAX ASSESSMENT APPEALS BOARDS

E80E00.01 Property Tax Assessment Appeals Boards
General Fund Appropriation 1,043,820

DEPARTMENT OF BUDGET AND MANAGEMENT

OFFICE OF THE SECRETARY

F10A01.01 Executive Direction
General Fund Appropriation 1,594,128

Funds are appropriated in other agency budgets and funds will be transferred from the Employees' and Retirees' Health Insurance Non–Budgeted Fund Accounts to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F10A01.02 Division of Finance and Administration
General Fund Appropriation 1,238,851

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F10A01.03 Central Collection Unit
Special Fund Appropriation 12,869,297

F10A01.04 Division of Procurement Policy and Administration
General Fund Appropriation 2,136,356

SUMMARY

Total General Fund Appropriation	4,969,335
Total Special Fund Appropriation	12,869,297
Total Appropriation	17,838,632

OFFICE OF PERSONNEL SERVICES AND BENEFITS

F10A02.01 Executive Direction
General Fund Appropriation ..... ~~1,773,524~~
1,753,524

Funds will be transferred from the Employees' and Retirees' Health Insurance Non–Budgeted Fund Accounts to pay for administration services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F10A02.02 Division of Employee Benefits

Funds will be transferred from the Employees' and Retirees' Health Insurance Non–Budgeted Fund Accounts to pay for administration services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F10A02.04 Division of Personnel Services
General Fund Appropriation 854,213

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special

funds for operating expenses in this program.		
F10A02.06 Division of Classification and Salary		
General Fund Appropriation		~~2,135,997~~ 2,095,997
F10A02.07 Division of Recruitment and Examination		
General Fund Appropriation		~~1,754,797~~ 1,734,797
F10A02.08 Statewide Expenses		
General Fund Appropriation, provided that funds appropriated for employee death benefits, Cost of Living Adjustments (COLA), Annual Salary Reviews, salary increments, the State Law Enforcement Officers Labor Alliance collective bargaining agreement and workers' compensation premiums may be transferred to programs of other State agencies	74,212,034	
Special Fund Appropriation, provided that funds appropriated for Cost of Living Adjustments (COLA), Annual Salary Reviews, salary increments, and the State Law Enforcement Officers Labor Alliance collective bargaining agreement may be transferred to programs of other State agencies	17,562,175	
Federal Fund Appropriation, provided that funds appropriated for Cost of Living Adjustments (COLA), salary increments, and Annual Salary Reviews may be transferred to programs of other State agencies	10,025,928	101,800,137

SUMMARY

Total General Fund Appropriation	80,650,565
Total Special Fund Appropriation	17,562,175
Total Federal Fund Appropriation	10,025,928
Total Appropriation	108,238,668

OFFICE OF BUDGET ANALYSIS

F10A05.01 Budget Analysis and Formulation		
General Fund Appropriation		2,448,751

OFFICE OF CAPITAL BUDGETING

F10A06.01 Capital Budget Analysis and Formulation		
General Fund Appropriation		973,896

DEPARTMENT OF INFORMATION TECHNOLOGY

MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND

F50A01.01 Major Information Technology Development Project Fund		
General Fund Appropriation, provided that funds appropriated herein for Major Information Technology Development projects may be transferred to programs of the respective financial agencies	15,351,500	
Special Fund Appropriation, provided that funds appropriated herein for Major Information Technology Development projects may be transferred to programs of the respective financial agencies	837,910	16,189,410

OFFICE OF INFORMATION TECHNOLOGY

F50B04.01 State Chief of Information Technology		
General Fund Appropriation	~~2,640,178~~ 2,533,178	
Federal Fund Appropriation	300,000	~~2,940,178~~ 2,833,178

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this

program.

F50B04.02 Enterprise Information Systems

General Fund Appropriation ..... ~~3,626,734~~
3,526,734

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F50B04.03 Application Systems Management

General Fund Appropriation 5,530,504

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F50B04.04 Networks Division

Special Fund Appropriation 429,442

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F50B04.05 Strategic Planning

General Fund Appropriation 3,020,034

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F50B04.06 Major Information Technology Development Projects

Special Fund Appropriation 4,117,654

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F50B04.07 Web Systems
General Fund Appropriation 2,050,515

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F50B04.09 Telecommunications Access of Maryland
Special Fund Appropriation 6,111,410

F50B04.10 Capital Appropriation
Federal Fund Appropriation 9,837,726

SUMMARY

Total General Fund Appropriation	16,660,965
Total Special Fund Appropriation	10,658,506
Total Federal Fund Appropriation	10,137,726
Total Appropriation	37,457,197

MARYLAND STATE RETIREMENT AND PENSION SYSTEMS

STATE RETIREMENT AGENCY

G20J01.01 State Retirement Agency
Special Fund Appropriation 3,747,006

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special

funds for operating expenses in this program.

TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS

G50L00.01 Maryland Supplemental Retirement Plan Board and Staff		
Special Fund Appropriation		1,528,686

DEPARTMENT OF GENERAL SERVICES

OFFICE OF THE SECRETARY

H00A01.01 Executive Direction		
General Fund Appropriation		1,468,330
H00A01.02 Administration		
General Fund Appropriation		3,161,983

SUMMARY

Total General Fund Appropriation		4,630,313

OFFICE OF FACILITIES SECURITY

H00B01.01 Facilities Security		
General Fund Appropriation	7,377,360	
Special Fund Appropriation	86,717	
Federal Fund Appropriation	279,706	7,743,783

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

OFFICE OF FACILITIES OPERATION AND MAINTENANCE

H00C01.01 Facilities Operation and Maintenance		
General Fund Appropriation	30,809,156	
Special Fund Appropriation	776,472	
Federal Fund Appropriation	879,173	32,464,801

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

H00C01.04 Saratoga State Center – Capital Appropriation

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

H00C01.05 Reimbursable Lease Management

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

H00C01.07 Parking Facilities

General Fund Appropriation		1,727,773

SUMMARY

Total General Fund Appropriation	32,536,929
Total Special Fund Appropriation	776,472
Total Federal Fund Appropriation	879,173
Total Appropriation	34,192,574

OFFICE OF PROCUREMENT AND LOGISTICS

H00D01.01 Procurement and Logistics

General Fund Appropriation	3,094,251	
Special Fund Appropriation	2,026,750	5,121,001

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

OFFICE OF REAL ESTATE

H00E01.01 Real Estate Management		
General Fund Appropriation	1,835,225	
Special Fund Appropriation	108,320	1,943,545

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

OFFICE OF FACILITIES PLANNING, DESIGN AND CONSTRUCTION

H00G01.01 Facilities Planning, Design and Construction		
General Fund Appropriation, provided that the amount appropriated herein for Maryland Environmental Service critical maintenance projects shall be transferred to the appropriate State facility effective July 1, 2013	11,981,965	
Special Fund Appropriation	420,619	12,402,584

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

DEPARTMENT OF TRANSPORTATION

Provided that it is the intent of the General Assembly that projects and funding levels appropriated for capital projects, as well as total estimated project costs within the

Consolidated Transportation Program, shall be expended in accordance with the plan approved during the legislative session. The department shall prepare a report to notify the budget committees of the proposed changes in the event the department modifies the program to:

(1) add a new project to the construction program or development and evaluation program meeting the definition of a "major project" under Section 2–103.1 of the Transportation Article that was not previously contained within a plan reviewed in a prior year by the General Assembly and will result in the need to expend funds in the current budget year; or

(2) change the scope of a project in the construction program or development and evaluation program meeting the definition of a "major project" under Section 2–103.1 of the Transportation Article that will result in an increase of more than 10% or $1,000,000, whichever is greater, in the total project costs as reviewed by the General Assembly during a prior session.

For each change, the report shall identify the project title, justification for adding the new project or modifying the scope of the existing project, current year funding levels, and the total project cost as approved by the General Assembly during the prior session compared with the proposed current year funding and total project cost estimate resulting from the project addition or change in scope.

Further provided that notification of project additions, as outlined in item (1) above;

changes in the scope of a project, as outlined in item (2) above; or moving projects from the development and evaluation program to the construction program, shall be made to the General Assembly 45 days prior to the expenditure of funds or the submission of any contract for approval to the Board of Public Works.

The Maryland Department of Transportation (MDOT) may not expend funds on any job or position of employment approved in this budget in excess of 8,734.50 positions and 131.41 contractual full–time equivalents paid through special payments payroll (defined as the quotient of the sum of the hours worked by all such employees in the fiscal year divided by 2,080 hours) of the total authorized amount established in the budget for MDOT at any one time during fiscal 2014. The level of contractual full–time equivalents may be exceeded only if MDOT notifies the budget committees of the need and justification for additional contractual personnel due to:

(1) business growth at the Helen Delich Bentley Port of Baltimore or Baltimore/Washington International Thurgood Marshall Airport that demands additional personnel; or

(2) emergency needs that must be met, such as transit security or highway maintenance.

The Secretary shall use the authority under Sections 2–101 and 2–102 of the Transportation Article to implement this provision. However, any authorized job or position to be filled above the regular position ceiling approved by the Board of Public Works shall count against the Rule of 100 imposed by the General Assembly. The establishment of new jobs or positions

of employment not authorized in the fiscal 2014 budget shall be subject to Section 7–236 of the State Finance and Procurement Article and the Rule of 100.

It is the intent of the General Assembly that funds dedicated to the Transportation Trust Fund shall be applied to purposes bearing direct relation to the State transportation program, unless directed otherwise by legislation. To implement this intent for MDOT in fiscal 2014, no commitment of funds in excess of $250,000 may be made nor such an amount may be transferred, by budget amendment or otherwise, for any project or purpose not normally arising in connection with the ordinary ongoing operation of MDOT and not contemplated in the approved budget or the last published Consolidated Transportation Program without 45 days of review and comment by the budget committees.

THE SECRETARY'S OFFICE

J00A01.01 Executive Direction
Special Fund Appropriation 26,968,635

J00A01.02 Operating Grants–In–Aid
Special Fund Appropriation, provided that no more than $4,122,968 of this appropriation may be expended for operating grants–in–aid, except for:

(1) any additional special funds necessary to match unanticipated federal fund attainments; or

(2) any proposed increase either to provide funds for a new grantee or to expand funds for an existing grantee.

Further provided that no expenditures in excess of $4,122,968 may occur unless the department provides notification to the

budget committees to justify the need for additional expenditures due to either item (1) or (2) above, and the committees provide review and comment or 45 days elapse from the date such notification is provided to the committees 4,122,968

Federal Fund Appropriation 9,088,792 13,211,760

J00A01.03 Facilities and Capital Equipment

Special Fund Appropriation, provided that $15,379,979 of this appropriation shall be contingent on the enactment of legislation authorizing the use of funds from the local income tax reserve account to provide transportation grants to municipal governments. Further provided that $15,379,979 of these funds shall be allocated as provided in Section 8–405 of the Transportation Article and may only be expended in accordance with Section 8–408 of the Transportation Article.

Further provided that it is the intent of the General Assembly that these grants are one–time only grants that will not be continued in future budgets.

Further provided that no funds may be expended by the Secretary's Office for any system preservation or minor project with a total project cost in excess of $500,000 that is not currently included in the fiscal 2013–2018 Consolidated Transportation Program except as outlined below:

(1) the Secretary shall notify the budget committees of any proposed system preservation or minor project with a total project cost in excess of $500,000, including the need and justification for the project, and its total cost; and

(2) the budget committees shall have 45 days to review and comment on the proposed system preservation

or minor project	74,412,212	
Federal Fund Appropriation	24,000,000	98,412,212
J00A01.04 Washington Metropolitan Area Transit – Operating		
Special Fund Appropriation		287,000,000
J00A01.05 Washington Metropolitan Area Transit – Capital		
Special Fund Appropriation		153,149,000
J00A01.07 Office of Transportation Technology Services		
Special Fund Appropriation		39,830,982
J00A01.08 Major Information Technology Development Projects		
Special Fund Appropriation		2,008,550

SUMMARY

Total Special Fund Appropriation	587,492,347
Total Federal Fund Appropriation	33,088,792
Total Appropriation	620,581,139

DEBT SERVICE REQUIREMENTS

Consolidated Transportation Bonds may be issued in any amount provided that the aggregate outstanding and unpaid balance of these bonds and bonds of prior issues as of June 30, 2014, may not exceed:

(1) $1,982,670,000, subject to item (2); or

(2) $2,292,670,000, contingent upon enactment of HB 1515 or SB 1054 increasing transportation revenues.

Further provided that the amount paid for debt service shall be reduced by any

proceeds generated from net bond sale premiums, provided that those revenues are recognized by the department and reflected in the Transportation Trust Fund forecast. Further provided that the appropriation for debt service shall be reduced by any proceeds generated from net bond sale premiums. To achieve this reduction, the Maryland Department of Transportation (MDOT) may either use the proceeds from the net premium to reduce the size of the bond issuance or apply the proceeds from the net premium to debt service for that bond issuance.

MDOT shall submit with its annual September and January financial forecasts information on:

(1) anticipated and actual nontraditional debt outstanding as of June 30 of each year; and

(2) anticipated and actual debt service payments for each outstanding nontraditional debt issuance from fiscal 2013 through 2024. Nontraditional debt is defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond; such debt includes, but is not limited to, Certificates of Participation, debt backed by customer facility charges, passenger facility charges, or other revenues, and debt issued by the Maryland Economic Development Corporation or any other third party on behalf of MDOT.

The total aggregate outstanding and unpaid principal balance of nontraditional debt, defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond issued by MDOT, may not exceed

$724,695,000 as of June 30, 2014. Provided, however, that in addition to the limit established under this provision, MDOT may increase the aggregate outstanding unpaid and principal balance of nontraditional debt so long as:

(1) MDOT provides notice to the Senate Budget and Taxation Committee and the House Appropriations Committee stating the specific reason for the additional issuance and providing specific information regarding the proposed issuance, including information specifying the total amount of nontraditional debt that would be outstanding on June 30, 2014, and the total amount by which the fiscal 2014 debt service payment for all nontraditional debt would increase following the additional issuance; and

(2) the Senate Budget and Taxation Committee and the House Appropriations Committee have 45 days to review and comment on the proposed additional issuance before the publication of a preliminary official statement. The Senate Budget and Taxation Committee and the House Appropriations Committee may hold a public hearing to discuss the proposed increase and must signal their intent to hold a hearing within 45 days of receiving notice from MDOT.

J00A04.01 Debt Service Requirements
Special Fund Appropriation 212,223,613

STATE HIGHWAY ADMINISTRATION

J00B01.01 State System Construction and

Equipment		
Special Fund Appropriation	436,051,000	
Federal Fund Appropriation	478,785,000	914,836,000
J00B01.02 State System Maintenance		
Special Fund Appropriation	209,021,457	
Federal Fund Appropriation	8,608,768	217,630,225
J00B01.03 County and Municipality Capital Funds		
Special Fund Appropriation	4,875,000	
Federal Fund Appropriation	59,280,000	64,155,000
J00B01.04 Highway Safety Operating Program		
Special Fund Appropriation	6,166,668	
Federal Fund Appropriation	3,834,622	10,001,290
J00B01.05 County and Municipality Funds		
Special Fund Appropriation		167,533,632
J00B01.08 Major Information Technology Development Projects		
Special Fund Appropriation	4,361,000	
Federal Fund Appropriation	4,160,000	8,521,000

SUMMARY

Total Special Fund Appropriation	828,008,757
Total Federal Fund Appropriation	554,668,390
Total Appropriation	1,382,677,147

MARYLAND PORT ADMINISTRATION

J00D00.01 Port Operations		
Special Fund Appropriation		~~47,717,513~~
		47,625,019
J00D00.02 Port Facilities and Capital Equipment		
Special Fund Appropriation	113,144,161	
Federal Fund Appropriation	449,000	113,593,161

SUMMARY

Total Special Fund Appropriation	160,769,180
Total Federal Fund Appropriation	449,000
Total Appropriation	161,218,180

MOTOR VEHICLE ADMINISTRATION

J00E00.01 Motor Vehicle Operations		
Special Fund Appropriation	166,955,890	
Federal Fund Appropriation	176,500	167,132,390
J00E00.03 Facilities and Capital Equipment		
Special Fund Appropriation	21,280,887	
Federal Fund Appropriation	303,000	21,583,887
J00E00.04 Maryland Highway Safety Office		
Special Fund Appropriation	1,016,815	
Federal Fund Appropriation	17,958,967	18,975,782
J00E00.08 Major Information Technology Development Projects		
Special Fund Appropriation		4,862,000

SUMMARY

Total Special Fund Appropriation	194,115,592
Total Federal Fund Appropriation	18,438,467
Total Appropriation	212,554,059

MARYLAND TRANSIT ADMINISTRATION

J00H01.01 Transit Administration	
Special Fund Appropriation	55,358,786
J00H01.02 Bus Operations	

Special Fund Appropriation	~~275,283,175~~ 273,783,175	
Federal Fund Appropriation	31,800,000	~~307,083,175~~ 305,583,175

J00H01.04 Rail Operations		
Special Fund Appropriation	199,139,365	
Federal Fund Appropriation	13,823,450	212,962,815
J00H01.05 Facilities and Capital Equipment		
Special Fund Appropriation	205,302,000	
Federal Fund Appropriation	322,018,000	527,320,000
J00H01.06 Statewide Programs Operations		
Special Fund Appropriation	91,668,367	
Federal Fund Appropriation	11,111,196	102,779,563
J00H01.08 Major Information Technology Development Projects		
Special Fund Appropriation		10,978,000

SUMMARY

Total Special Fund Appropriation	836,229,693
Total Federal Fund Appropriation	378,752,646
Total Appropriation	1,214,982,339

MARYLAND AVIATION ADMINISTRATION

J00I00.02 Airport Operations		
Special Fund Appropriation	178,343,857	
Federal Fund Appropriation	656,191	179,000,048
J00I00.03 Airport Facilities and Capital Equipment		
Special Fund Appropriation	48,578,000	
Federal Fund Appropriation	24,479,000	73,057,000

J00I00.08 Major Information Technology Development Projects
Special Fund Appropriation 6,092,000

SUMMARY

Total Special Fund Appropriation	233,013,857
Total Federal Fund Appropriation	25,135,191
Total Appropriation	258,149,048

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE SECRETARY

K00A01.01 Secretariat		
General Fund Appropriation	224,548	
Special Fund Appropriation	1,326,703	
Federal Fund Appropriation	101,600	1,652,851
K00A01.02 Office of the Attorney General		
General Fund Appropriation	604,572	
Special Fund Appropriation	945,084	1,549,656
K00A01.03 Finance and Administrative Service		
General Fund Appropriation, provided that this appropriation shall be reduced by $1,217,000 contingent upon the enactment of legislation to allow the use of Program Open Space funds to be used to cover administrative costs	3,318,302	
Special Fund Appropriation	2,551,651	
Federal Fund Appropriation	154,088	6,024,041
K00A01.04 Human Resource Service		
General Fund Appropriation	265,585	
Special Fund Appropriation	468,293	
Federal Fund Appropriation	41,400	775,278
K00A01.05 Information Technology Service		
General Fund Appropriation	1,843,294	

Special Fund Appropriation	3,018,533	
Federal Fund Appropriation	115,300	4,977,127

K00A01.06 Office of Communications and Marketing

General Fund Appropriation	272,205	
Special Fund Appropriation	460,330	732,535

SUMMARY

Total General Fund Appropriation	6,528,506
Total Special Fund Appropriation	8,770,594
Total Federal Fund Appropriation	412,388
Total Appropriation	15,711,488

FOREST SERVICE

K00A02.09 Forest Service

General Fund Appropriation	888,392	
Special Fund Appropriation	8,520,396	
Federal Fund Appropriation	1,704,574	11,113,362

Funds are appropriated in other units of the Department of Natural Resources budget and other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

WILDLIFE AND HERITAGE SERVICE

K00A03.01 Wildlife and Heritage Service

General Fund Appropriation	409,943	
Special Fund Appropriation	5,675,371	
Federal Fund Appropriation	3,541,348	9,626,662

Funds are appropriated in other units of the Department of Natural Resources budget and other agency budgets to pay for

services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

MARYLAND PARK SERVICE

K00A04.01 Statewide Operation		
General Fund Appropriation	2,503,812	
Special Fund Appropriation	33,509,008	
Federal Fund Appropriation	737,900	36,750,720

Funds are appropriated in other units of the Department of Natural Resources budget and other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

K00A04.06 Revenue Operations	
Special Fund Appropriation	2,139,942

SUMMARY

Total General Fund Appropriation	2,503,812
Total Special Fund Appropriation	35,648,950
Total Federal Fund Appropriation	737,900
Total Appropriation	38,890,662

LAND ACQUISITION AND PLANNING

K00A05.05 Land Acquisition and Planning		
Special Fund Appropriation	5,145,043	
Federal Fund Appropriation	17,500	5,162,543

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

K00A05.10 Outdoor Recreation Land Loan
Special Fund Appropriation 100,660,337

Provided that of the Special Fund Allowance, $65,069,717 represents that share of Program Open Space Revenues available for State projects and $35,590,620 represents that share of Program Open Space Revenues available for local programs. These amounts may be used for any State projects or local share authorized in Chapter 403, Laws of Maryland, 1969 as amended, or in Chapter 81, Laws of Maryland, 1984; Chapter 106, Laws of Maryland, 1985; Chapter 109, Laws of Maryland, 1986; Chapter 121, Laws of Maryland, 1987; Chapter 10, Laws of Maryland, 1988; Chapter 14, Laws of Maryland, 1989; Chapter 409, Laws of Maryland, 1990; Chapter 3, Laws of Maryland, 1991; Chapter 4, 1st Special Session, Laws of Maryland, 1992; Chapter 204, Laws of Maryland, 1993; Chapter 8, Laws of Maryland, 1994; Chapter 7, Laws of Maryland, 1995; Chapter 13, Laws of Maryland, 1996; Chapter 3, Laws of Maryland, 1997; Chapter 109, Laws of Maryland, 1998; Chapter 118, Laws of Maryland, 1999; Chapter 204, Laws of Maryland, 2000; Chapter 102, Laws of Maryland, 2001; Chapter 290, Laws of Maryland, 2002; Chapter 204, Laws of Maryland, 2003; Chapter 432, Laws of Maryland, 2004; Chapter 445, Laws of Maryland, 2005; Chapter 46, Laws of Maryland, 2006; Chapter 488, Laws of Maryland, 2007; Chapter 336, Laws of Maryland, 2008; Chapter 485, Laws of Maryland, 2009; Chapter 483, Laws of Maryland, 2010; Chapter 396, Laws of Maryland, 2011; Chapter 444, Laws of Maryland, 2012; and for any of the following State and Local Projects.

Allowance, Local Projects $35,590,620

Land Acquisitions	$31,220,103		
Department of Natural Resources Capital Improvements:			
Natural Resource Development Fund	$10,223,351		
Critical Maintenance Program	$4,620,000		
Subtotal	$14,843,351		
Heritage Conservation Fund	$2,913,423		
Rural Legacy	$16,092,841		
Allowance, State Projects	$65,069,717		
Federal Fund Appropriation		4,500,000	105,160,337

Notwithstanding the appropriations above, the Special Fund appropriation for the Outdoor Recreation Land Loan shall be reduced by $71,091,338 contingent on the enactment of legislation crediting $71,091,338 of the transfer tax revenues to the General Fund. The reduction shall be distributed in the following manner:

Program Open Space – State Acquisition	$21,944,526
Program Open Space – Local Share	$23,727,620
Program Open Space – Capital Improvements	$14,690,351
Rural Legacy	$10,728,841
Total	$71,091,338

SUMMARY

Total Special Fund Appropriation	105,805,380
Total Federal Fund Appropriation	4,517,500
Total Appropriation	110,322,880

LICENSING AND REGISTRATION SERVICE

K00A06.01 General Direction		
Special Fund Appropriation		3,476,250

NATURAL RESOURCES POLICE

K00A07.01 General Direction		
General Fund Appropriation	6,310,615	
Special Fund Appropriation	1,549,140	
Federal Fund Appropriation	2,122,792	9,982,547

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

K00A07.04 Field Operations		
General Fund Appropriation	20,432,541	
Special Fund Appropriation	6,530,772	
Federal Fund Appropriation	2,181,640	29,144,953

SUMMARY

Total General Fund Appropriation	26,743,156
Total Special Fund Appropriation	8,079,912
Total Federal Fund Appropriation	4,304,432
Total Appropriation	39,127,500

ENGINEERING AND CONSTRUCTION

K00A09.01 General Direction		
General Fund Appropriation	764,073	
Special Fund Appropriation	3,312,871	4,076,944

Funds are appropriated in other units of the

Department of Natural Resources budget and other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

K00A09.06 Ocean City Maintenance		
Special Fund Appropriation		2,000,000

SUMMARY

Total General Fund Appropriation	764,073
Total Special Fund Appropriation	5,312,871
Total Appropriation	6,076,944

CRITICAL AREA COMMISSION

K00A10.01 Critical Area Commission		
General Fund Appropriation		2,047,579

BOATING SERVICES

K00A11.01 Boating Services		
Special Fund Appropriation	5,991,703	
Federal Fund Appropriation	547,517	6,539,220

Funds are appropriated in other units of the Department of Natural Resources budget and in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

K00A11.02 Waterway Improvement Capital Program		
Special Fund Appropriation	240,000	
Federal Fund Appropriation	600,000	840,000

SUMMARY

Total Special Fund Appropriation		6,231,703
Total Federal Fund Appropriation		1,147,517
Total Appropriation		7,379,220

RESOURCE ASSESSMENT SERVICE

K00A12.05 Power Plant Assessment Program		
Special Fund Appropriation		6,239,456
K00A12.06 Monitoring and Ecosystem Assessment		
General Fund Appropriation	2,308,318	
Special Fund Appropriation	2,248,108	
Federal Fund Appropriation	1,621,671	6,178,097

Funds are appropriated in other units of the Department of Natural Resources budget and in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

K00A12.07 Maryland Geological Survey		
General Fund Appropriation	980,685	
Special Fund Appropriation	391,920	
Federal Fund Appropriation	93,672	1,466,277

Funds are appropriated in other units of the Department of Natural Resources budget and in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SUMMARY

Total General Fund Appropriation	3,289,003
Total Special Fund Appropriation	8,879,484
Total Federal Fund Appropriation	1,715,343

Total Appropriation		13,883,830

MARYLAND ENVIRONMENTAL TRUST

K00A13.01 General Direction

General Fund Appropriation	580,023	
Special Fund Appropriation	10,985	591,008

Funds are appropriated in other units of the Department of Natural Resources budget and in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

WATERSHED SERVICES

K00A14.02 Chesapeake and Coastal Service

General Fund Appropriation	2,518,841	
Special Fund Appropriation	32,231,155	
Federal Fund Appropriation	6,127,255	40,877,251

Funds are appropriated in other units of the Department of Natural Resources budget and in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

FISHERIES SERVICE

K00A17.01 Fisheries Services

General Fund Appropriation	5,466,672	
Special Fund Appropriation	7,922,172	
Federal Fund Appropriation	7,589,082	20,977,926

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special

funds for operating expenses in this program.

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

L00A11.01 Executive Direction		
General Fund Appropriation		2,614,438
L00A11.02 Administrative Services		
General Fund Appropriation		1,406,165
L00A11.03 Central Services		
General Fund Appropriation	853,530	
Federal Fund Appropriation	350,000	1,203,530

Funds are appropriated in other units of the Department of Agriculture budget to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

L00A11.04 Maryland Agricultural Commission		
General Fund Appropriation		73,393
L00A11.05 Maryland Agricultural Land Preservation Foundation		
Special Fund Appropriation		1,450,461
L00A11.11 Capital Appropriation		
Special Fund Appropriation, provided that this appropriation shall be reduced by $18,107,000 contingent upon the enactment of legislation crediting transfer tax revenues to the General Fund		42,167,756

SUMMARY

Total General Fund Appropriation	4,947,526
Total Special Fund Appropriation	43,618,217
Total Federal Fund Appropriation	350,000
Total Appropriation	48,915,743

OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES

L00A12.01 Office of the Assistant Secretary		
General Fund Appropriation		199,737
L00A12.02 Weights and Measures		
General Fund Appropriation	430,185	
Special Fund Appropriation	1,769,032	2,199,217
L00A12.03 Food Quality Assurance		
General Fund Appropriation	148,228	
Special Fund Appropriation	1,660,247	
Federal Fund Appropriation	146,932	1,955,407
L00A12.04 Maryland Agricultural Statistics Services		
General Fund Appropriation	21,000	
Federal Fund Appropriation	8,000	29,000

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

L00A12.05 Animal Health		
General Fund Appropriation	2,271,219	
Special Fund Appropriation	415,679	
Federal Fund Appropriation	388,794	3,075,692
L00A12.07 State Board of Veterinary Medical Examiners		
Special Fund Appropriation		574,474
L00A12.08 Maryland Horse Industry Board		
Special Fund Appropriation		341,470
L00A12.10 Marketing and Agriculture Development		

General Fund Appropriation	580,070	
Special Fund Appropriation	4,315,000	
Federal Fund Appropriation	1,700,820	6,595,890

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

L00A12.11 Maryland Agricultural Fair Board
Special Fund Appropriation 1,460,000

L00A12.13 Tobacco Transition Program
Special Fund Appropriation 319,000

L00A12.18 Rural Maryland Council
General Fund Appropriation 167,000

L00A12.19 Maryland Agricultural Education and Rural Development Assistance Fund
General Fund Appropriation 167,000

L00A12.20 Maryland Agricultural and Resource–Based Industry Development Corporation
General Fund Appropriation 2,875,000

SUMMARY

Total General Fund Appropriation	6,859,439
Total Special Fund Appropriation	10,854,902
Total Federal Fund Appropriation	2,244,546
Total Appropriation	19,958,887

OFFICE OF PLANT INDUSTRIES AND PEST MANAGEMENT

L00A14.01 Office of the Assistant Secretary
General Fund Appropriation 191,176

L00A14.02 Forest Pest Management
General Fund Appropriation 1,236,059

Special Fund Appropriation	174,401	
Federal Fund Appropriation	158,090	1,568,550

L00A14.03 Mosquito Control

General Fund Appropriation	1,005,021	
Special Fund Appropriation	1,591,792	2,596,813

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

L00A14.04 Pesticide Regulation

Special Fund Appropriation	692,905	
Federal Fund Appropriation	324,037	1,016,942

L00A14.05 Plant Protection and Weed Management

General Fund Appropriation	1,007,558	
Special Fund Appropriation	226,738	
Federal Fund Appropriation	462,288	1,696,584

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

L00A14.06 Turf and Seed

General Fund Appropriation	785,454	
Special Fund Appropriation	279,718	1,065,172

L00A14.09 State Chemist

Special Fund Appropriation	2,389,881	
Federal Fund Appropriation	273,159	2,663,040

Funds are appropriated in other units of the Department of Agriculture budget and in

other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SUMMARY

Total General Fund Appropriation	4,225,268
Total Special Fund Appropriation	5,355,435
Total Federal Fund Appropriation	1,217,574
Total Appropriation	10,798,277

OFFICE OF RESOURCE CONSERVATION

L00A15.01 Office of the Assistant Secretary		
General Fund Appropriation		300,090
L00A15.02 Program Planning and Development		
General Fund Appropriation	401,945	
Special Fund Appropriation	15,000	416,945

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

L00A15.03 Resource Conservation Operations		
General Fund Appropriation	8,557,369	
Special Fund Appropriation	242,534	
Federal Fund Appropriation	1,722,406	10,522,309

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

L00A15.04 Resource Conservation Grants

General Fund Appropriation	858,681	
Special Fund Appropriation	10,942,669	11,801,350

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

L00A15.06 Nutrient Management

General Fund Appropriation	1,532,037	
Special Fund Appropriation	50,000	1,582,037

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SUMMARY

Total General Fund Appropriation	11,650,122
Total Special Fund Appropriation	11,250,203
Total Federal Fund Appropriation	1,722,406
Total Appropriation	24,622,731

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

OFFICE OF THE SECRETARY

Provided that $1,000,000 of the General Fund appropriation of the Office of the Secretary made for the purpose of administration may not be expended until the Department of Health and Mental Hygiene (DHMH) submits a report to the budget committees detailing the Secretary of DHMH's final recommendation on a model for a behavioral health integrated service delivery and financing system.

If the Secretary chooses to move forward with the implementation of a new model, the report shall:

(1) detail how the new model will align financial incentives, resolve adverse selection, promote information exchange, establish multidisciplinary care coordination teams, and develop competent provider networks;

(2) outline how services to the uninsured and Medicaid–ineligible services to Medicaid recipients will be provided;

(3) discuss the role of existing local planning agencies and State administrative support for those agencies;

(4) outline how other existing programs that operate outside of the current Medicaid, mental health fee–for–service, and substance abuse grant programs will operate;

(5) evaluate the outcome measures currently in place in the Medicaid, mental health, and substance abuse systems and detail how those measures need to be improved or expanded on;

(6) evaluate current rate–setting methodologies and determine what changes to those methodologies should be made;

(7) discuss whether or to what extent the current array of statutorily created substance abuse treatment programs should be consolidated into a single block grant;

(8) *evaluate the fiscal impact of the model;* and

~~(8)~~ *(9)* add any other information the department wishes to include.

Further provided that the department, simultaneous with the issuance of any request for proposals (RFP) to implement a new behavioral health service delivery and financing system shall submit the RFP to the budget committees.

The requested report shall be submitted on the earlier of December 1, 2013, or the issuance of an RFP to implement a new behavioral health service delivery and financing system. The committees shall have 60 days to review and comment only on the report. Funding withheld pending the receipt of the report may not be expended or transferred to any other purpose and shall revert to the General Fund if the report is not submitted.

Further provided that $100,000 of the General Fund appropriation of the Office of the Secretary made for the purpose of administration may not be expended until the Department of Health and Mental Hygiene (DHMH), in consultation with the Health Services Cost Review Commission, submits two reports to the budget committees concerning the modernization of the State's Medicare waiver. Specifically:

(1) ***Within 30 days of the submission of an application to the Centers for Medicare and Medicaid Services (CMS) to modernize the State's Medicare waiver, DHMH is requested to submit a report containing the final application, a list of***

changes from the draft application circulated to stakeholders in March 2013, a preliminary timeline for implementation of Phase 1 of the Medicare waiver modernization plan, and the process of stakeholder input prior to any final decision being made by CMS and the State.

(2) Within 30 days of the approval by CMS of the State's Medicare waiver modernization application, a final timeline for implementation of Phase 1 of the Medicare waiver modernization plan, any regulatory or statutory changes required to implement Phase 1 of the Medicare waiver modernization plan, the process for stakeholder input prior to the implementation of Phase 1, and a timeline for the implementation of Phase 2 of the Medicare waiver modernization plan.

The committees shall have 45 days to review and comment on each report. Funding withheld pending the receipt of the two reports may not be expended or transferred to any other purpose and shall revert to the General Fund if both reports are not submitted.

M00A01.01 Executive Direction		
General Fund Appropriation	10,440,243	
Special Fund Appropriation	5,000	
Federal Fund Appropriation	2,150,473	12,595,716

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby

granted to use these receipts as special funds for operating expenses in this program.

M00A01.02 Operations

General Fund Appropriation, *provided that $35,001 of this appropriation made for personnel expenses may not be expended for that purpose but instead may be transferred by budget amendment to the Department of Aging (program D26A07.01) to fund the Senior Care Program grant at the same level in fiscal 2014 as in fiscal 2013. Funds not used for this restricted purpose may not be expended or otherwise transferred and shall revert to the General Fund*	~~14,702,085~~ ~~14,558,991~~ *14,593,992*	
Federal Fund Appropriation	13,938,739	~~28,640,824~~ ~~28,497,730~~ *28,532,731*

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

M00A01.08 Major Information Technology Development Projects

Federal Fund Appropriation	439,843

SUMMARY

Total General Fund Appropriation	25,034,235
Total Special Fund Appropriation	5,000
Total Federal Fund Appropriation	16,529,055
Total Appropriation	41,568,290

REGULATORY SERVICES

M00B01.03 Office of Health Care Quality		
General Fund Appropriation	10,887,374	
Special Fund Appropriation	186,535	
Federal Fund Appropriation	7,257,405	18,331,314
M00B01.04 Health Professionals Boards and Commission		
General Fund Appropriation	383,623	
Special Fund Appropriation, provided that $750,000 of this appropriation made for the purpose of administrative expenditures may not be expended unless:		
(1) the boards, with the exception of the Board of Social Work Examiners, and the Department of Human Resources (DHR) have taken corrective action with respect to the finding in the Child Support Enforcement Administration audit concerning the electronic exchange of data for the purpose of license suspensions on or before January 1, 2014; and		
(2) a report is submitted to the budget committees by DHR indicating that the electronic exchange of data has been established with each board. The budget committees shall have 45 days to review and comment from the date of the submission of the report	13,038,800	13,422,423

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

M00B01.05 Board of Nursing

Special Fund Appropriation, provided that $50,000 of this appropriation made for the purpose of administrative expenditures

may not be expended unless:

(1) the board and the Department of Human Resources (DHR) have taken corrective action with respect to the finding in the Child Support Enforcement Administration audit concerning the electronic exchange of data for the purpose of license suspension on or before January 1, 2014; and

(2) a report is submitted to the budget committees by DHR indicating that the electronic exchange of data has been established by the board. The budget committees shall have 45 days to review and comment from the date of the submission of the report 8,484,524

M00B01.06 Maryland Board of Physicians

Special Fund Appropriation, provided that the new integrated medical licensure and investigation information technology (IT) system shall be considered a major IT development project as defined by Section 3A–301 of the State Finance and Procurement Article and subject to all statutory provisions that relate to such projects. Further provided that the Maryland Board of Physicians shall establish a separate subprogram to track spending associated with this project ..... ~~9,629,647~~
9,538,647

SUMMARY

Total General Fund Appropriation	11,270,997
Total Special Fund Appropriation	31,248,506
Total Federal Fund Appropriation	7,257,405
Total Appropriation	49,776,908

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction		
General Fund Appropriation	5,207,204	
Special Fund Appropriation	410,000	
Federal Fund Appropriation	990,724	6,607,928

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

HEALTH SYSTEMS AND INFRASTRUCTURE ADMINISTRATION

M00F02.01 Health Systems and Infrastructure Services		
General Fund Appropriation	1,477,365	
Special Fund Appropriation	26,334	
Federal Fund Appropriation	1,074,827	2,578,526

M00F02.07 Core Public Health Services		
General Fund Appropriation	40,048,623	
Federal Fund Appropriation	4,493,000	44,541,623

SUMMARY

Total General Fund Appropriation	41,525,988
Total Special Fund Appropriation	26,334
Total Federal Fund Appropriation	5,567,827
Total Appropriation	47,120,149

PREVENTION AND HEALTH PROMOTION ADMINISTRATION

M00F03.01 Infectious Disease and Environmental Health Services

General Fund Appropriation, *provided that $100,000 of this appropriation, made for the purpose of funding programs in the Baltimore City Health Department, may not be expended until the Department of*

Health and Mental Hygiene provides a report to the budget committees that indicates how it plans to achieve a reduction in the rate of sexually transmitted infections in Baltimore City by 2015. Specifically, the report shall focus on infection rates related to primary and secondary syphilis, chlamydia, and HIV/AIDS. Moreover, the report shall address the impact of school health programs in preventing the rate of sexually transmitted infections among school–age individuals. The report shall be submitted by December 1, 2013, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the committees 14,431,393

Special Fund Appropriation	37,572,979	
Federal Fund Appropriation	67,987,298	119,991,670

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

M00F03.04 Family Health and Chronic Disease Services

General Fund Appropriation	38,724,759	
Special Fund Appropriation	48,388,608	
Federal Fund Appropriation	147,110,027	234,223,394

SUMMARY

Total General Fund Appropriation	53,156,152
Total Special Fund Appropriation	85,961,587
Total Federal Fund Appropriation	215,097,325
Total Appropriation	354,215,064

OFFICE OF THE CHIEF MEDICAL EXAMINER

M00F05.01 Post Mortem Examining Services		
General Fund Appropriation	10,866,091	
Federal Fund Appropriation	216,824	11,082,915

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

OFFICE OF PREPAREDNESS AND RESPONSE

M00F06.01 Office of Preparedness and Response		
General Fund Appropriation	363,000	
Federal Fund Appropriation	15,972,460	16,335,460

WESTERN MARYLAND CENTER

M00I03.01 Services and Institutional Operations		
General Fund Appropriation	23,233,790	
Special Fund Appropriation	1,265,958	24,499,748

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

DEER'S HEAD CENTER

M00I04.01 Services and Institutional Operations		
General Fund Appropriation	19,812,033	
Special Fund Appropriation	3,159,167	22,971,200

LABORATORIES ADMINISTRATION

M00J02.01 Laboratory Services

General Fund Appropriation	29,331,697	
Special Fund Appropriation	533,670	
Federal Fund Appropriation	3,262,658	33,128,025

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

DEPUTY SECRETARY FOR BEHAVIORAL HEALTH AND DISABILITIES

M00K01.01 Executive Direction

General Fund Appropriation 2,090,569

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

ALCOHOL AND DRUG ABUSE ADMINISTRATION

M00K02.01 Alcohol and Drug Abuse Administration

General Fund Appropriation, provided that $100,000 of this appropriation made for the purpose of administration may not be expended until the Alcohol and Drug Abuse Administration (ADAA) submits a report to the budget committees detailing:

(1) final fiscal 2013 local treatment expenditures by the American Society of Addiction Medicine (ASAM) level of care;

(2) initial fiscal 2014 local treatment grant allocations by jurisdiction by ASAM level of care;

(3) any guidance provided by ADAA to

local jurisdictions in determining how fiscal 2014 funding awards are to be allocated by ASAM level of care; and

(4) fiscal 2014 support for statewide treatment contracts.

The report shall be submitted to the budget committees by December 1, 2013. The committees shall have 45 days to review and comment upon receipt. Funding withheld pending the receipt of the report may not be expended or transferred to any other purpose and shall revert to the General Fund if the report is not submitted 88,090,840

Special Fund Appropriation	24,529,713	
Federal Fund Appropriation	35,377,633	147,998,186

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

MENTAL HYGIENE ADMINISTRATION

M00L01.01 Program Direction

General Fund Appropriation	6,039,586	
Federal Fund Appropriation	2,729,096	8,768,682

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

M00L01.02 Community Services

General Fund Appropriation	~~69,980,262~~	
	68,430,262	
Special Fund Appropriation	6,626,641	
Federal Fund Appropriation	39,337,537	~~115,944,440~~

		114,394,440

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

M00L01.03 Community Services for Medicaid Recipients		
General Fund Appropriation	366,015,347	
Special Fund Appropriation	11,114,687	
Federal Fund Appropriation	365,839,052	742,969,086

SUMMARY

Total General Fund Appropriation	440,485,195
Total Special Fund Appropriation	17,741,328
Total Federal Fund Appropriation	407,905,685
Total Appropriation	866,132,208

WALTER P. CARTER COMMUNITY MENTAL HEALTH CENTER

M00L03.01 Services and Institutional Operations		
General Fund Appropriation		51,090

THOMAS B. FINAN HOSPITAL CENTER

M00L04.01 Services and Institutional Operations		
General Fund Appropriation	17,740,119	
Special Fund Appropriation	1,113,606	18,853,725

REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS – BALTIMORE

M00L05.01 Services and Institutional Operations		
General Fund Appropriation	11,031,319	
Special Fund Appropriation	1,909,399	
Federal Fund Appropriation	74,992	13,015,710

CROWNSVILLE HOSPITAL CENTER

M00L06.01 Services and Institutional Operations		
General Fund Appropriation	604,303	
Special Fund Appropriation	250,658	854,961

EASTERN SHORE HOSPITAL CENTER

M00L07.01 Services and Institutional Operations		
General Fund Appropriation	18,628,013	
Special Fund Appropriation	13,634	18,641,647

SPRINGFIELD HOSPITAL CENTER

M00L08.01 Services and Institutional Operations		
General Fund Appropriation	70,649,911	
Special Fund Appropriation	260,174	70,910,085

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SPRING GROVE HOSPITAL CENTER

M00L09.01 Services and Institutional Operations		
General Fund Appropriation	75,265,997	
Special Fund Appropriation	2,584,784	
Federal Fund Appropriation	22,251	77,873,032

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

CLIFTON T. PERKINS HOSPITAL CENTER

M00L10.01 Services and Institutional Operations		
General Fund Appropriation	55,451,764	
Special Fund Appropriation	128,545	55,580,309

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

JOHN L. GILDNER REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS

M00L11.01 Services and Institutional Operations		
General Fund Appropriation	10,273,019	
Special Fund Appropriation	158,450	
Federal Fund Appropriation	46,163	10,477,632

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

UPPER SHORE COMMUNITY MENTAL HEALTH CENTER

M00L12.01 Services and Institutional Operations		
General Fund Appropriation	469,047	
Special Fund Appropriation	220,357	689,404

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS – SOUTHERN MARYLAND

M00L14.01 Services and Institutional Operations		
General Fund Appropriation		5,216

DEVELOPMENTAL DISABILITIES ADMINISTRATION

M00M01.01 Program Direction

General Fund Appropriation, provided that $1,000,000 of this appropriation made for the purpose of Program Direction may not be expended until the Department of Health and Mental Hygiene provides a report to the budget committees that summarizes the requirements analysis for the Developmental Disabilities Administration's major information technology project for the financial restructuring of the agency's existing system. Moreover, the report shall summarize the recommendations made by the independent consultant for the draft specifications to solicit the modification or replacement of the agency's existing financial platform. The department shall advise how the new system will address the major underlying inefficiencies of the agency's current payment system and identify any barriers to adopting a new financial management system, including statutory or regulatory barriers. The report shall also update the committees on progress in creating a new fiscal management structure and processes for financial projections and reporting. The report shall be submitted by December 1, 2013, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the committees.

Further provided that $250,000 of this appropriation made for the purpose of Program Direction may not be expended until the Department of Health and Mental Hygiene provides a report to the

budget committees on the process to be implemented by the department to address instances in which the contribution to care is not paid to providers by individuals receiving services or their representatives. Specifically, the report shall advise of the department's role in addressing nonpayment of contribution to care costs and any requirements to be imposed on licensed developmental disabilities community providers to address nonpayment of contribution to care. The report shall be submitted by August 1, 2013, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the committees 5,006,463

Federal Fund Appropriation 3,266,889 8,273,352

M00M01.02 Community Services

General Fund Appropriation***, provided that $950,000 of this appropriation made for the purpose of Community Services shall be used to ensure that no provider funded by the Developmental Disabilities Administration will have an overall funding reduction in fiscal year 2014 as a result of changes in reimbursement policies for absence days in residential, day, and supported employment services that were implemented in fiscal 2012. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund*** 485,001,589

Special Fund Appropriation 3,499,115

Federal Fund Appropriation 412,399,285 900,899,989

SUMMARY

Total General Fund Appropriation	490,008,052
Total Special Fund Appropriation	3,499,115
Total Federal Fund Appropriation	415,666,174
Total Appropriation	909,173,341

ROSEWOOD CENTER

M00M02.01 Services and Institutional Operations		
General Fund Appropriation	1,251,053	
Special Fund Appropriation	601,672	1,852,725

HOLLY CENTER

M00M05.01 Services and Institutional Operations		
General Fund Appropriation	17,993,002	
Special Fund Appropriation	140,373	18,133,375

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

DEVELOPMENTAL DISABILITIES ADMINISTRATION COURT INVOLVED SERVICE DELIVERY SYSTEM

M00M06.01 Services and Institutional Operations	
General Fund Appropriation	8,982,801

POTOMAC CENTER

M00M07.01 Services and Institutional Operations		
General Fund Appropriation	11,853,471	
Special Fund Appropriation	5,000	11,858,471

JOSEPH D. BRANDENBURG CENTER

M00M09.01 Services and Institutional Operations
General Fund Appropriation 35,819

MEDICAL CARE PROGRAMS ADMINISTRATION

M00Q01.01 Deputy Secretary for Health Care Financing
General Fund Appropriation, provided that $100,000 of this appropriation made for the purpose of administration may not be expended until the Department of Health and Mental Hygiene submits a report to the budget committees that:

(1) reviews the utilization of pediatric restorative dental surgery for fiscal 2006 through fiscal 2013 by facility and by payor source;

(2) analyzes the rates for anesthesia services performed in connection to pediatric restorative dental surgery compared to rates paid by Medicare and commercial payors; and

(3) provides a justification as to why Medicare rates should be considered the benchmark for Medicaid anesthesia rates (as they are for other physician service rates in Medicaid) given the different methodology used by Medicare to develop anesthesia rates compared with other physician services, and detail the advantages and disadvantages of using a different benchmark. The department shall develop the report in consultation with representatives of the anesthesiologists involved in these pediatric restorative dental surgical cases. The department shall submit the report by September 15, 2013, and the

committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees	1,221,050	
Federal Fund Appropriation	1,661,784	2,882,834

M00Q01.02 Office of Systems, Operations and Pharmacy

General Fund Appropriation	7,374,440	
Federal Fund Appropriation	16,932,881	24,307,321

M00Q01.03 Medical Care Provider Reimbursements

All appropriations provided for program M00Q01.03 Medical Care Provider Reimbursements are to be used for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose except for transfers to program F50A01.01 Major Information Technology Development Project Fund as authorized in the fiscal 2014 budget bill. Funds not expended for these purposes shall revert to the General Fund or be canceled.

General Fund Appropriation, provided that no part of this General Fund appropriation may be paid to any physician or surgeon or any hospital, clinic, or other medical facility for or in connection with the performance of any abortion, except upon certification by a physician or surgeon, based upon his or her professional judgment that the procedure is necessary, provided one of the following conditions exists: where continuation of the pregnancy is likely to result in the death of the woman; or where

the woman is a victim of rape, sexual offense, or incest which has been reported to a law enforcement agency or a public health or social agency; or where it can be ascertained by the physician with a reasonable degree of medical certainty that the fetus is affected by genetic defect or serious deformity or abnormality; or where it can be ascertained by the physician with a reasonable degree of medical certainty that termination of pregnancy is medically necessary because there is substantial risk that continuation of the pregnancy could have a serious and adverse effect on the woman's present or future physical health; or before an abortion can be performed on the grounds of mental health there must be certification in writing by the physician or surgeon that in his or her professional judgment there exists medical evidence that continuation of the pregnancy is creating a serious effect on the woman's present mental health and if carried to term there is a substantial risk of a serious or long lasting effect on the woman's future mental health.

Further provided that $4,200,000 of this appropriation made in subprogram T393 for the purpose of developing a web–based tracking system for long–term care services and support and Developmental Disabilities tracking system may be transferred only to program F50A01.01 Major Information Technology Development Project Fund to support the development of these systems. Funding not transferred may not be expended or otherwise used for any other program or purpose and shall revert to the General Fund. Further provided that the Medical Care Programs Administration shall establish appropriate subprograms as necessary in program M00Q01.08 Major Information Technology Development Projects to track federal spending

associated with these projects.

Further provided that $3,000,000 of this appropriation made for provider reimbursements may not be used for that purpose and shall instead be used to provide supplemental payments to Managed Care Organizations (MCOs) in the first six months of Calendar Year 2014 in order to increase access to care in rural counties. In developing a formula to allocate this funding, the Department of Health and Mental Hygiene (DHMH) may consider the following:

(1) The relative concentration of MCO participation in each jurisdiction;

(2) The number of MCOs open for enrollment in each jurisdiction;

(3) The number of MCOs participating in each jurisdiction;

(4) An individual MCO's participation by rate payment and/or rate–setting region;

(5) A two–part formula to allocate the total funding available; and

(6) Any other factor considered appropriate by the department.

DHMH shall develop a formula to allocate this funding and shall submit the formula to the budget committees by July 1, 2013. Simultaneous with the submission of the formula to the budget committees, the department shall provide the formula to the MCOs. The budget committees shall

have 30 days to review and comment. The final formula shall be presented to the MCOs prior to the final scheduled meeting of the Calendar Year 2014 MCO rate–setting process in August 2013.

Funding not used for this restricted purpose may not be transferred by budget amendment or otherwise for any other purpose and shall revert to the General Fund.

Further provided that it is the intent of the General Assembly that the Governor include in the fiscal 2015 budget bill $3,000,000 to provide supplemental payments to MCOs to be distributed according to the same allocation formula for the second half of Calendar Year 2014 ..... ~~2,277,593,714~~ 2,264,643,714

Special Fund Appropriation	891,265,831	
Federal Fund Appropriation	~~3,793,687,422~~ 3,772,437,422	~~6,962,546,967~~ 6,928,346,967

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

M00Q01.04 Office of Health Services

General Fund Appropriation	10,552,212	
Special Fund Appropriation	25,949	
Federal Fund Appropriation	15,010,171	25,588,332

M00Q01.05 Office of Finance

General Fund Appropriation	1,352,216	
Federal Fund Appropriation	1,415,316	2,767,532

M00Q01.06 Kidney Disease Treatment Services

Special Fund Appropriation		~~5,952,996~~ 5,702,996

M00Q01.07 Maryland Children's Health Program

General Fund Appropriation, provided that no part of this General Fund appropriation may be paid to any physician or surgeon or any hospital, clinic, or other medical facility for or in connection with the performance of any abortion, except upon certification by a physician or surgeon, based upon his or her professional judgment that the procedure is necessary, provided one of the following conditions exists: where continuation of the pregnancy is likely to result in the death of the woman; or where the woman is a victim of rape, sexual offense, or incest which has been reported to a law enforcement agency or a public health or social agency; or where it can be ascertained by the physician with a reasonable degree of medical certainty that the fetus is affected by genetic defect or serious deformity or abnormality; or where it can be ascertained by the physician with a reasonable degree of medical certainty that termination of pregnancy is medically necessary because there is substantial risk that continuation of the pregnancy could have a serious and adverse effect on the woman's present or future physical health; or before an abortion can be performed on the grounds of mental health there must be certification in writing by the physician or surgeon that in his or her professional judgment there exists medical evidence that continuation of the pregnancy is creating a serious effect on the woman's present mental health and if carried to term there is a substantial risk of a serious or long lasting effect on the woman's future mental health	~~70,641,682~~ 68,641,682	
Special Fund Appropriation	6,508,684	
Federal Fund Appropriation	~~142,932,165~~	~~220,082,531~~

	138,932,165	214,082,531
M00Q01.08 Major Information Technology Development Projects		
Federal Fund Appropriation		49,225,033
M00Q01.09 Office of Eligibility Services		
General Fund Appropriation	5,751,464	
Federal Fund Appropriation	7,007,773	12,759,237

SUMMARY

Total General Fund Appropriation	2,359,536,778
Total Special Fund Appropriation	903,503,460
Total Federal Fund Appropriation	4,002,622,545
Total Appropriation	7,265,662,783

HEALTH REGULATORY COMMISSIONS

M00R01.01 Maryland Health Care Commission		
Special Fund Appropriation	30,409,727	
Federal Fund Appropriation	926,760	31,336,487
M00R01.02 Health Services Cost Review Commission		
Special Fund Appropriation		136,543,241
M00R01.03 Maryland Community Health Resources Commission		
Special Fund Appropriation		8,005,397

SUMMARY

Total Special Fund Appropriation	174,958,365
Total Federal Fund Appropriation	926,760
Total Appropriation	175,885,125

DEPARTMENT OF HUMAN RESOURCES

OFFICE OF THE SECRETARY

N00A01.01 Office of the Secretary		
General Fund Appropriation	5,550,611	
Federal Fund Appropriation	7,772,982	13,323,593
N00A01.02 Citizen's Review Board for Children		
General Fund Appropriation	582,583	
Federal Fund Appropriation	308,350	890,933
N00A01.03 Maryland Commission for Women		
General Fund Appropriation		196,974
N00A01.04 Maryland Legal Services Program		
General Fund Appropriation, provided that $7,434,164 of this appropriation made for the purpose of legal representation in Children in Need of Assistance and Termination of Parental Rights cases may be expended only for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund	8,382,156	
Federal Fund Appropriation, provided that $4,836,650 of this appropriation made for the purpose of legal representation in Children in Need of Assistance and Termination of Parental Rights cases may be expended only for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled	4,926,986	13,309,142
N00A01.05 Office of Grants Management		
General Fund Appropriation	10,543,953	
Special Fund Appropriation	6,617	
Federal Fund Appropriation	1,207,172	11,757,742

SUMMARY

Total General Fund Appropriation	25,256,277
Total Special Fund Appropriation	6,617
Total Federal Fund Appropriation	14,215,490
Total Appropriation	39,478,384

SOCIAL SERVICES ADMINISTRATION

It is the intent of the General Assembly that the practice of ~~artificially~~ constraining rates set through the various rate–setting processes established in statute and regulation be discontinued as soon as possible so that rates paid to providers reflect fair and just compensation for the important services they provide to the most vulnerable populations of the State.

N00B00.04 General Administration – State		
General Fund Appropriation	9,601,265	
Federal Fund Appropriation	17,684,730	27,285,995

OPERATIONS OFFICE

N00E01.01 Division of Budget, Finance, and Personnel		
General Fund Appropriation	12,842,051	
Federal Fund Appropriation	8,800,445	21,642,496
N00E01.02 Division of Administrative Services		
General Fund Appropriation	4,284,052	
Federal Fund Appropriation	4,967,701	9,251,753

SUMMARY

Total General Fund Appropriation	17,126,103
Total Federal Fund Appropriation	13,768,146
Total Appropriation	30,894,249

OFFICE OF TECHNOLOGY FOR HUMAN SERVICES

N00F00.02 Major Information Technology Development Projects		
Federal Fund Appropriation		2,500,118
N00F00.04 General Administration		
General Fund Appropriation	29,930,874	
Special Fund Appropriation	725,769	
Federal Fund Appropriation	37,295,112	67,951,755

SUMMARY

Total General Fund Appropriation	29,930,874
Total Special Fund Appropriation	725,769
Total Federal Fund Appropriation	39,795,230
Total Appropriation	70,451,873

LOCAL DEPARTMENT OPERATIONS

N00G00.01 Foster Care Maintenance Payments

General Fund Appropriation, provided that funds appropriated herein may be used to develop a broad range of services to assist in returning children with special needs from out–of–state placements, to prevent unnecessary residential or institutional placements within Maryland and to work with local jurisdictions in these regards. Policy decisions regarding the expenditures of such funds shall be made jointly by the Executive Director of the Governor's Office for Children, the Secretaries of Health and Mental Hygiene, Human Resources, Juvenile Services, Budget and Management, and the State Superintendent of Education.

<u>Further provided that these funds are to be used only for the purposes herein appropriated, and there shall be no</u>

budgetary transfer to any other program or purpose except that funds may be transferred to program N00G00.03 Child Welfare Services. Funds not expended or transferred shall revert to the General Fund	237,946,297	
Special Fund Appropriation	5,093,333	
Federal Fund Appropriation	83,967,787	327,007,417
N00G00.02 Local Family Investment Program		
General Fund Appropriation	51,848,793	
Special Fund Appropriation	2,498,674	
Federal Fund Appropriation	94,343,355	148,690,822
N00G00.03 Child Welfare Services		
General Fund Appropriation, provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose except that funds may be transferred to program N00G00.01 Foster Care Maintenance Payments. Funds not expended or transferred shall revert to the General Fund	141,745,976	
Special Fund Appropriation	1,559,670	
Federal Fund Appropriation	75,260,061	218,565,707
N00G00.04 Adult Services		
General Fund Appropriation	10,786,711	
Special Fund Appropriation	1,302,502	
Federal Fund Appropriation	31,619,131	43,708,344
N00G00.05 General Administration		
General Fund Appropriation	22,405,823	
Special Fund Appropriation	2,588,731	
Federal Fund Appropriation	17,380,531	42,375,085
N00G00.06 Local Child Support Enforcement Administration		
General Fund Appropriation	15,712,149	
Special Fund Appropriation	1,082,700	

Federal Fund Appropriation	30,575,138	47,369,987
N00G00.08 Assistance Payments		
General Fund Appropriation	76,433,102	
Special Fund Appropriation	18,575,059	
Federal Fund Appropriation	1,197,677,768	1,292,685,929
N00G00.10 Work Opportunities		
Federal Fund Appropriation		34,857,044

SUMMARY

Total General Fund Appropriation	556,878,851
Total Special Fund Appropriation	32,700,669
Total Federal Fund Appropriation	1,565,680,815
Total Appropriation	2,155,260,335

CHILD SUPPORT ENFORCEMENT ADMINISTRATION

N00H00.08 Support Enforcement – State

General Fund Appropriation, provided that since the Department of Human Resources Child Support Enforcement Administration (CSEA) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), $100,000 of CSEA's administrative appropriation may not be expended unless:

(1) CSEA has taken corrective action with respect to all repeat audit findings on or before January 1, 2014; and

(2) a report is submitted to the budget committees by OLA listing each repeat audit finding along with a determination that each repeat finding was corrected. The budget committees shall have 45 days to

review and comment to allow for funds to be released prior to the end of fiscal 2014	2,511,383	
Special Fund Appropriation	~~10,577,602~~ 10,101,602	
Federal Fund Appropriation	~~29,434,151~~ 28,510,151	~~42,523,136~~ 41,123,136

FAMILY INVESTMENT ADMINISTRATION

N00I00.04 Director's Office		
General Fund Appropriation	6,822,247	
Special Fund Appropriation	353,538	
Federal Fund Appropriation	23,290,838	30,466,623
N00I00.05 Maryland Office for Refugees and Asylees		
Federal Fund Appropriation		13,292,922
N00I00.06 Office of Home Energy Programs		
Special Fund Appropriation	57,124,465	
Federal Fund Appropriation	85,860,642	142,985,107

SUMMARY

Total General Fund Appropriation	6,822,247
Total Special Fund Appropriation	57,478,003
Total Federal Fund Appropriation	122,444,402
Total Appropriation	186,744,652

DEPARTMENT OF LABOR, LICENSING AND REGULATION

OFFICE OF THE SECRETARY

P00A01.01 Executive Direction

General Fund Appropriation, provided that since the Department of Labor, Licensing, and Regulation (DLLR) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA),

$150,000 of this agency's administrative appropriation may not be expended unless:

(1) DLLR has taken corrective action with respect to all repeat audit findings on or before January 1, 2014; and

(2) a report is submitted to the budget committees by OLA listing each repeat audit finding along with a determination that each repeat finding was corrected. The budget committees shall have 45 days to review and comment to allow for funds to be released prior to the end of fiscal 2014.

Further provided that $2,500,000 of this appropriation is contingent on the enactment of legislation authorizing the Maryland Employment Advancement Right Now program 3,780,878
Special Fund Appropriation 431,568
Federal Fund Appropriation 976,428 5,188,874

P00A01.02 Program Analysis and Audit
General Fund Appropriation 15,581
Special Fund Appropriation 17,765
Federal Fund Appropriation 65,903 99,249

P00A01.05 Legal Services
General Fund Appropriation 1,104,779
Special Fund Appropriation 1,320,079
Federal Fund Appropriation 1,102,058 3,526,916

P00A01.08 Office of Fair Practices
General Fund Appropriation 47,017
Special Fund Appropriation 53,606
Federal Fund Appropriation 198,854 299,477

P00A01.09 Governor's Workforce Investment

Board		
General Fund Appropriation		283,911
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
P00A01.11 Board of Appeals		
Special Fund Appropriation	46,782	
Federal Fund Appropriation	1,754,294	1,801,076
P00A01.12 Lower Appeals		
Special Fund Appropriation	48,949	
Federal Fund Appropriation	6,794,846	6,843,795

SUMMARY

Total General Fund Appropriation	5,232,166
Total Special Fund Appropriation	1,918,749
Total Federal Fund Appropriation	10,892,383
Total Appropriation	18,043,298

DIVISION OF ADMINISTRATION

P00B01.03 Office of Budget and Fiscal Services		
General Fund Appropriation	828,180	
Special Fund Appropriation	1,004,602	
Federal Fund Appropriation	3,141,480	4,974,262
P00B01.04 Office of General Services		
General Fund Appropriation	713,204	
Special Fund Appropriation	803,130	
Federal Fund Appropriation	2,978,218	4,494,552

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby

granted to use these receipts as special funds for operating expenses in this program.

P00B01.05 Office of Information Technology

Funds are appropriated in other units of the Department of Labor, Licensing, and Regulation budget to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

P00B01.06 Office of Human Resources		
General Fund Appropriation	312,722	
Special Fund Appropriation	356,715	
Federal Fund Appropriation	1,322,780	1,992,217

SUMMARY

Total General Fund Appropriation	1,854,106
Total Special Fund Appropriation	2,164,447
Total Federal Fund Appropriation	7,442,478
Total Appropriation	11,461,031

DIVISION OF FINANCIAL REGULATION

P00C01.02 Financial Regulation		
General Fund Appropriation	1,837,490	
Special Fund Appropriation	7,996,430	9,833,920

DIVISION OF LABOR AND INDUSTRY

P00D01.01 General Administration		
General Fund Appropriation	72,898	
Special Fund Appropriation	497,696	
Federal Fund Appropriation	245,564	816,158
P00D01.02 Employment Standards		
General Fund Appropriation	588,438	

Special Fund Appropriation	1,020,618	1,609,056
P00D01.03 Railroad Safety and Health		
Special Fund Appropriation		364,792
P00D01.05 Safety Inspection		
Special Fund Appropriation		4,994,203
P00D01.06 Apprenticeship and Training		
General Fund Appropriation	208,780	
Special Fund Appropriation	260,393	469,173
P00D01.07 Prevailing Wage		
General Fund Appropriation		811,083
P00D01.08 Occupational Safety and Health Administration		
Special Fund Appropriation	4,771,625	
Federal Fund Appropriation	4,770,223	9,541,848

SUMMARY

Total General Fund Appropriation	1,681,199
Total Special Fund Appropriation	11,909,327
Total Federal Fund Appropriation	5,015,787
Total Appropriation	18,606,313

DIVISION OF RACING

P00E01.02 Maryland Racing Commission		
General Fund Appropriation	421,401	
Special Fund Appropriation	43,129,974	43,551,375
P00E01.03 Racetrack Operation		
General Fund Appropriation	1,571,107	
Special Fund Appropriation	511,497	2,082,604
P00E01.04 Share of Racing Revenue to Local Subdivisions		

Special Fund Appropriation		1,251,800
P00E01.05 Maryland Facility Redevelopment Program		
Special Fund Appropriation		10,446,875
P00E01.06 Share of Video Lottery Terminal Revenue for Local Impact Grants		
Special Fund Appropriation		33,374,757

SUMMARY

Total General Fund Appropriation	1,992,508
Total Special Fund Appropriation	88,714,903
Total Appropriation	90,707,411

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING

P00F01.01 Occupational and Professional Licensing		
General Fund Appropriation	3,293,790	
Special Fund Appropriation	5,678,560	8,972,350

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING

P00G01.01 Office of the Assistant Secretary		
General Fund Appropriation	1,350,000	
Special Fund Appropriation	181,142	
Federal Fund Appropriation	42,172,920	43,704,062
P00G01.03 Workforce Development		
Special Fund Appropriation	1,810,515	
Federal Fund Appropriation	18,370,868	20,181,383

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

P00G01.12 Adult Education and Literacy Program		
General Fund Appropriation	961,012	
Special Fund Appropriation	621,762	
Federal Fund Appropriation	1,248,842	2,831,616

P00G01.13 Adult Corrections Program		
General Fund Appropriation	13,963,311	
Federal Fund Appropriation	374,850	14,338,161

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

P00G01.14 Aid to Education		
General Fund Appropriation	7,933,622	
Federal Fund Appropriation	7,964,310	15,897,932

SUMMARY

Total General Fund Appropriation	24,207,945
Total Special Fund Appropriation	2,613,419
Total Federal Fund Appropriation	70,131,790
Total Appropriation	96,953,154

DIVISION OF UNEMPLOYMENT INSURANCE

P00H01.01 Office of Unemployment Insurance		
Special Fund Appropriation	3,681,776	
Federal Fund Appropriation	69,427,652	73,109,428

P00H01.02 Major Information Technology Development Projects
Federal Fund Appropriation 600,000

SUMMARY

Total Special Fund Appropriation	3,681,776
Total Federal Fund Appropriation	70,027,652
Total Appropriation	73,709,428

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Provided that no funds within this budget may be expended for operations at Dorsey Run Correctional Facility (DRCF) until a report outlining a department–wide facility plan is submitted to the budget committees. The report shall contain future uses, including plans for renovation, demolition, or upgrade, of all State correctional facilities, specifically highlighting the Jessup Pre–Release Unit, DRCF, Maryland Reception, Diagnostic and Classification Center, Metropolitan Transition Center, the jail industries building, and the building of the Women's Detention Center. On receipt the budget committees will have 45 days to review and comment.

OFFICE OF THE SECRETARY

Provided that the following two positions be abolished from the Office of the Secretary, PINs 069980 and 035961.

Q00A01.01 General Administration
General Fund Appropriation, *provided that $855,753 of this appropriation made for the purpose of Comptroller Object 01 salaries and wages in Department of Public Safety and Correctional Services*

(DPSCS) Administration may not be expended for that purpose but instead may be used only to hire additional correctional officers in DPSCS Operations. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund 37,712,193
Special Fund Appropriation 490,000 38,202,193

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00A01.02 Information Technology and Communications Division
General Fund Appropriation 32,000,967
Special Fund Appropriation 4,400,000
Federal Fund Appropriation 650,000 37,050,967

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00A01.03 Internal Investigative Unit
General Fund Appropriation 2,687,144

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00A01.04 9–1–1 Emergency Number Systems
Special Fund Appropriation 57,371,771

Q00A01.06 Division of Capital Construction and Facilities Maintenance

General Fund Appropriation		1,952,906
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
Q00A01.07 Major Information Technology Development Projects		
Special Fund Appropriation		300,000

SUMMARY

Total General Fund Appropriation	74,353,210
Total Special Fund Appropriation	62,561,771
Total Federal Fund Appropriation	650,000
Total Appropriation	137,564,981

DEPUTY SECRETARY FOR OPERATIONS

Provided that the following two positions be abolished from the Deputy Secretary for Operations, PINs 068975 and 036448.

Q00A02.01 Administrative Services		
General Fund Appropriation		10,708,918
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
Q00A02.02 Community Supervision Services		
General Fund Appropriation	24,161,791	
Special Fund Appropriation	200,000	
Federal Fund Appropriation	74,578	24,436,369
Funds are appropriated in other agency budgets to pay for services provided by		

this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00A02.03 Programs and Services

General Fund Appropriation, provided that $425,000 of this appropriation made for the purpose of the Public Safety Compact (PSC) may not be expended until the Department of Public Safety and Correctional Services (DPSCS) Administration submits the following to the budget committees by September 1, 2013:

(1) a report to the budget committees on the effectiveness of the PSC compared to a control group not participating in the program on substance abuse treatment outcomes, recidivism rates, and benefits to DPSCS; and

(2) a PSC contract extension at least through June 30, 2014.

Further provided that the budget committees shall have 45 days to review and comment from the date of receipt of both the report and contract extension.

Funds restricted pending the receipt of the aforementioned items may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if both items are not submitted to the budget committees 5,879,400

Special Fund Appropriation 719,098 6,598,498

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this

program.

Q00A02.04 Security Operations
General Fund Appropriation 31,158,907

SUMMARY

Total General Fund Appropriation	71,909,016
Total Special Fund Appropriation	919,098
Total Federal Fund Appropriation	74,578
Total Appropriation	72,902,692

MARYLAND CORRECTIONAL ENTERPRISES

Q00A03.01 Maryland Correctional Enterprises
Special Fund Appropriation 58,587,593

MARYLAND PAROLE COMMISSION

Q00C01.01 General Administration and Hearings
General Fund Appropriation, provided that $200,000 of this appropriation made for the purpose of departmental administration may not be expended until the Maryland Parole Commission submits the following reports to the budget committees on Consistently Implementing Decisionmaking Tools:

(1) a report, including fiscal 2011 and 2012 data, on the number of times hearing officers' recommendations and commissioners' decisions have been outside the guidelines of parole policy, including both revocation and initial parole hearings, should be received July 1, 2013; and

(2) a report, including fiscal 2013 data, on the number of times hearing officers' recommendations and commissioners' decisions have

been outside the guidelines of parole policy, including both revocation and initial parole hearings, should be received October 1, 2013. For each fiscal year requesting data, a minimum of ~~1,000~~ *750* random cases should be evaluated.

Further provided that the budget committees shall have 45 days to review and comment on each report from the date of receipt. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees 5,685,042

INMATE GRIEVANCE OFFICE

Q00E00.01 General Administration
Special Fund Appropriation 933,886

POLICE AND CORRECTIONAL TRAINING COMMISSIONS

Q00G00.01 General Administration

General Fund Appropriation	7,860,553	
Special Fund Appropriation	440,000	
Federal Fund Appropriation	516,800	8,817,353

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

CRIMINAL INJURIES COMPENSATION BOARD

Q00K00.01 Administration and Awards

Special Fund Appropriation	3,612,364	
Federal Fund Appropriation	700,000	4,312,364

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

MARYLAND COMMISSION ON CORRECTIONAL STANDARDS

Q00N00.01 General Administration		
General Fund Appropriation		541,625

GENERAL ADMINISTRATION – NORTH

Provided that it is the intent of the General Assembly that the Governor provide an additional 377 correctional officer positions to the Department of Public Safety and Correctional Services (DPSCS) phased in with 100 added each year. Starting in fiscal 2015, 100 positions shall be added each year until 377 additional positions are successfully included in the DPSCS.

Q00R01.01 General Administration		
General Fund Appropriation		3,296,520

CORRECTIONS – NORTH

Q00R02.01 Maryland Correctional Institution – Hagerstown		
General Fund Appropriation	67,188,299	
Special Fund Appropriation	1,487,797	68,676,096

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00R02.02 Maryland Correctional Training Center

General Fund Appropriation	66,786,900	
Special Fund Appropriation	2,419,703	69,206,603

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00R02.03 Roxbury Correctional Institution

General Fund Appropriation	48,189,878	
Special Fund Appropriation	1,445,822	49,635,700

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00R02.04 Western Correctional Institution

General Fund Appropriation	52,710,046	
Special Fund Appropriation	1,360,414	54,070,460

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00R02.05 North Branch Correctional Institution

General Fund Appropriation	53,942,288	
Special Fund Appropriation	970,866	54,913,154

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00R02.06 Patuxent Institution

General Fund Appropriation	49,445,423	
Special Fund Appropriation	780,889	
Federal Fund Appropriation	299,514	50,525,826

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SUMMARY

Total General Fund Appropriation	338,262,834
Total Special Fund Appropriation	8,465,491
Total Federal Fund Appropriation	299,514
Total Appropriation	347,027,839

COMMUNITY SUPERVISION – NORTH

Q00R03.01 Community Supervision

General Fund Appropriation, provided that $100,000 of this appropriation made for the purpose of general administration may not be expended until the Department of Public Safety and Correctional Services Operations submits a report to the budget committees on the progress of the earned release policy (ERP) in reducing the inmate population toward the level funded in the fiscal 2014 budget. The report shall provide the budget committees with:

(1) an update on the number of inmates released due to the ERP;

(2) the anticipated number of inmates released for fiscal 2014 due to the ERP;

(3) the benefits of the ERP;

(4) any challenges to the ERP implementation;

(5) total cost savings due to ERP inmates early release;

(6) how community supervision has been impacted;

(7) the impact of ERP on the budget for fiscal 2014; and

(8) recidivism rates for those individuals released under the ERP.

The report shall be submitted by November 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees 16,161,984

Special Fund Appropriation 3,213,415 19,375,399

GENERAL ADMINISTRATION – SOUTH

Provided that since the Central Region Finance Office has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits, ~~$500,000~~ *$200,000* of this agency's administrative appropriation may not be expended unless:

(1) the Central Region Finance Office has taken corrective action with respect to all repeat audit findings on or before January 1, 2014; and

(2) a report is submitted to the budget committees by the Office of Legislative Audits listing each repeat audit finding along with a

determination that each repeat finding was corrected. The budget committees shall have 45 days to review and comment to allow for funds to be released prior to the end of fiscal 2014.

Q00S01.01 General Administration		
General Fund Appropriation		6,368,267

CORRECTIONS – SOUTH

Q00S02.01 Jessup Correctional Institution		
General Fund Appropriation	64,650,171	
Special Fund Appropriation	1,389,308	66,039,479

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00S02.02 Maryland Correctional Institution – Jessup		
General Fund Appropriation	~~39,423,037~~ ~~39,223,037~~ *39,323,037*	
Special Fund Appropriation	874,195	~~40,297,232~~ ~~40,097,232~~ *40,197,232*

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00S02.03 Maryland Correctional Institution for Women		
General Fund Appropriation	37,159,731	
Special Fund Appropriation	1,051,825	38,211,556

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00S02.04 Brockbridge Correctional Facility

General Fund Appropriation	21,370,843	
Special Fund Appropriation	362,287	21,733,130

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00S02.05 Jessup Pre–Release Unit

General Fund Appropriation	16,296,157	
Special Fund Appropriation	370,000	16,666,157

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00S02.06 Southern Maryland Pre–Release Unit

General Fund Appropriation	4,731,577	
Special Fund Appropriation	327,163	5,058,740

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00S02.07 Eastern Pre–Release Unit

General Fund Appropriation	5,168,328	
Special Fund Appropriation	231,743	5,400,071

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00S02.08 Eastern Correctional Institution

General Fund Appropriation	98,777,815	
Special Fund Appropriation	2,968,194	
Federal Fund Appropriation	1,250,000	102,996,009

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SUMMARY

Total General Fund Appropriation	287,477,659
Total Special Fund Appropriation	7,574,715
Total Federal Fund Appropriation	1,250,000
Total Appropriation	296,302,374

COMMUNITY SUPERVISION – SOUTH

Q00S03.01 Community Supervision

General Fund Appropriation, provided that $150,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services (DPSCS) submits a federal award letter to the budget committees for the purpose of conducting a time study of the appropriate caseload standards for parole and probation agents.

Further provided that if a federal grant is not obtained by August 1, 2013, the

department may submit a request to the budget committees to release the funds for the purpose of conducting a time study of the appropriate caseload standards for parole and probation agents. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Further provided that draft findings from the completed time study are submitted to the budget committees no later than January 15, 2014.

Further provided that $200,000 of this appropriation made for the purpose of general administration may not be expended until DPSCS Operations submits a report to the budget committees on the results from a time study to determine an appropriate general caseload standard for parole and probation agents. The report shall be submitted by June 15, 2014, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees ... 22,425,573

Special Fund Appropriation 2,853,853 25,279,426

GENERAL ADMINISTRATION – CENTRAL

Q00T01.01 General Administration

General Fund Appropriation, provided that $150,000 of this appropriation made for the purpose of general administration may not be expended until the Department of Public Safety and Correctional Services Operations submits a report to the budget committees on the number of treatment beds and the number of inmates requiring the service for each treatment option. The

report shall be submitted by October 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees		4,341,237

CORRECTIONS – CENTRAL

Q00T02.01 Metropolitan Transition Center		
General Fund Appropriation	40,665,134	
Special Fund Appropriation	964,091	41,629,225
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
Q00T02.02 Maryland Reception, Diagnostic, and Classification Center		
General Fund Appropriation	35,189,259	
Special Fund Appropriation	300,000	35,489,259
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
Q00T02.03 Baltimore Pre–Release Unit		
General Fund Appropriation	4,853,482	
Special Fund Appropriation	361,014	5,214,496
Q00T02.04 Baltimore City Correctional Center		
General Fund Appropriation	14,539,554	
Special Fund Appropriation	350,000	14,889,554

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00T02.05 Central Maryland Correctional Facility		
General Fund Appropriation	13,970,000	
Special Fund Appropriation	522,792	14,492,792

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SUMMARY

Total General Fund Appropriation	109,217,429
Total Special Fund Appropriation	2,497,897
Total Appropriation	111,715,326

COMMUNITY SUPERVISION – CENTRAL

Q00T03.01 Community Supervision		
General Fund Appropriation	~~34,688,833~~ 34,588,833	
Special Fund Appropriation	1,947,896	~~36,636,729~~ 36,536,729

DETENTION – CENTRAL

Q00T04.01 Chesapeake Detention Facility		
Special Fund Appropriation	400,000	
Federal Fund Appropriation	22,332,094	22,732,094
Q00T04.02 Pretrial Release Services		
General Fund Appropriation		5,995,545

Q00T04.03 Baltimore City Detention Center		
General Fund Appropriation	81,446,902	
Special Fund Appropriation	1,650,607	
Federal Fund Appropriation	7,000	83,104,509
Q00T04.04 Central Booking and Intake Facility		
General Fund Appropriation	56,177,239	
Special Fund Appropriation	111,591	56,288,830

SUMMARY

Total General Fund Appropriation	143,619,686
Total Special Fund Appropriation	2,162,198
Total Federal Fund Appropriation	22,339,094
Total Appropriation	168,120,978

STATE DEPARTMENT OF EDUCATION

HEADQUARTERS

R00A01.01 Office of the State Superintendent

Provided that it is the intent of the General Assembly that no individual loaned educator be engaged by the Maryland State Department of Education (MSDE) for more than 6 years. For loaned educators engaged in fiscal 2010, the time already served at MSDE may not be counted toward the 6–year limit.

Further provided that it is the intent of the General Assembly that all loaned educators submit annual financial disclosure statements, as is required by State employees in similar positions.

Further provided that MSDE shall provide an annual census report on the number of loaned educator contracts and any conversion of these personnel to regular

positions to the General Assembly by December 16, 2013, and every year thereafter. The annual report shall include job function, title, salary, fund source(s) for the contract, the first year of the contract and the number of years that the loaned educator has been employed by the State, and whether the educator files a financial disclosure statement. MSDE shall also provide a report to the budget committees prior to entering into any new loaned educator contract to provide temporary assistance to the State. The budget committees shall have 45 days to review and comment from the date of receipt of any report on new contracts.

General Fund Appropriation, provided that $50,000 of this appropriation made for the purpose of incentive payments for the State Superintendent based on the attainment of specified performance goals may be expended only for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Further provided that $50,000 of this appropriation made for the purpose of incentive payments for the State Superintendent may not be expended until the Maryland State Department of Education submits a report to the budget committees identifying baseline data for each performance goal. The report shall be submitted by August 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees ... 6,504,034

Special Fund Appropriation 421,700

Federal Fund Appropriation 23,946,668 30,872,402

R00A01.02 Division of Business Services		
General Fund Appropriation	936,213	
Special Fund Appropriation	41,586	
Federal Fund Appropriation	11,144,816	12,122,615
R00A01.03 Division of Academic Reform and Innovation		
General Fund Appropriation	906,350	
Federal Fund Appropriation	64,770	971,120
R00A01.04 Division of Accountability, Assessment and Data Systems		
General Fund Appropriation	28,175,793	
Special Fund Appropriation	471,029	
Federal Fund Appropriation	8,209,760	36,856,582
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
R00A01.05 Office of Information Technology		
General Fund Appropriation	52,110	
Federal Fund Appropriation	3,232,425	3,284,535
R00A01.06 Major Information Technology Development Projects		
Federal Fund Appropriation		3,740,671
R00A01.10 Division of Early Childhood Development		
General Fund Appropriation	13,259,773	
Federal Fund Appropriation	40,071,889	53,331,662
R00A01.11 Division of Instruction		
General Fund Appropriation	1,869,393	
Special Fund Appropriation	1,623,206	
Federal Fund Appropriation	2,713,649	6,206,248

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
R00A01.12 Division of Student, Family and School Support		
General Fund Appropriation	2,207,113	
Special Fund Appropriation	25,081	
Federal Fund Appropriation	5,003,841	7,236,035
R00A01.13 Division of Special Education/Early Intervention Services		
General Fund Appropriation	580,408	
Special Fund Appropriation	839,480	
Federal Fund Appropriation	10,627,386	12,047,274
R00A01.14 Division of Career and College Readiness		
General Fund Appropriation	1,126,790	
Federal Fund Appropriation	2,274,550	3,401,340
R00A01.15 Juvenile Services Education Program		
General Fund Appropriation, provided that $1,458,671 of this appropriation shall be reduced contingent upon the enactment of legislation authorizing the State to charge local education agencies a portion of the cost associated with educating youth detained or pending placement in a Department of Juvenile Services facility. Authorization is hereby provided to process a ~~Special Fund~~ Reimbursable Fund budget amendment of up to $1,458,671 to support the Juvenile Services Education Program	13,771,787	
Federal Fund Appropriation	1,033,142	14,804,929
Funds are appropriated in other agency		

budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

R00A01.17 Division of Library Development and Services		
General Fund Appropriation	550,346	
Federal Fund Appropriation	2,128,667	2,679,013
R00A01.18 Division of Certification and Accreditation		
General Fund Appropriation	2,600,426	
Special Fund Appropriation	206,025	
Federal Fund Appropriation	151,489	2,957,940
R00A01.19 Home and Community Based Waiver for Children With Autism Spectrum Disorder		
General Fund Appropriation		12,044,080
R00A01.20 Division of Rehabilitation Services – Headquarters		
General Fund Appropriation	1,693,265	
Special Fund Appropriation	133,333	
Federal Fund Appropriation	8,527,364	10,353,962
R00A01.21 Division of Rehabilitation Services – Client Services		
General Fund Appropriation	9,973,404	
Federal Fund Appropriation	28,602,523	38,575,927
R00A01.22 Division of Rehabilitation Services – Workforce and Technology Center		
General Fund Appropriation	1,660,234	
Federal Fund Appropriation	7,411,260	9,071,494
R00A01.23 Division of Rehabilitation Services – Disability Determination Services		
Federal Fund Appropriation		38,114,158
R00A01.24 Division of Rehabilitation Services –		

Blindness and Vision Services		
General Fund Appropriation	565,698	
Special Fund Appropriation	3,483,398	
Federal Fund Appropriation	3,658,570	7,707,666

SUMMARY

Total General Fund Appropriation	98,477,217
Total Special Fund Appropriation	7,244,838
Total Federal Fund Appropriation	200,657,598
Total Appropriation	306,379,653

AID TO EDUCATION

Provided that the Maryland State Department of Education shall notify the budget committees of any intent to transfer funds from program R00A02 Aid to Education to any other budgetary unit. The budget committees shall have 45 days to review and comment on the planned transfer prior to its effect.

R00A02.01 State Share of Foundation Program		
General Fund Appropriation, provided that $8,331,604 of this appropriation is contingent upon the enactment of legislation altering the calculation of net taxable income for State education aid program formulas	2,695,545,861	
Special Fund Appropriation	340,316,789	3,035,862,650
R00A02.02 Compensatory Education		
General Fund Appropriation		1,195,620,119
R00A02.03 Aid for Local Employee Fringe Benefits		
General Fund Appropriation	873,170,565	
Special Fund Appropriation	13,622,612	886,793,177
R00A02.04 Children at Risk		
General Fund Appropriation	10,100,000	

Special Fund Appropriation	4,000,000	
Federal Fund Appropriation	17,123,407	31,223,407

R00A02.05 Formula Programs for Specific Populations
General Fund Appropriation 3,843,426

R00A02.07 Students With Disabilities
General Fund Appropriation 389,329,258

To provide funds as follows:

Formula	269,120,703
Non–Public Placement Program*, provided that it is the intent of the General Assembly that fiscal 2014 payments for providers of nonpublic special education placements be set at 2.5% over the rates in effect on January 16, 2013*	109,819,451
Infants and Toddlers Program	10,389,104

Provided that funds appropriated for non–public placements may be used to develop a broad range of services to assist in returning children with special needs from out–of–state placements to Maryland; to prevent out–of–state placements of children with special needs; to prevent unnecessary separate day school, residential or institutional placements within Maryland; and to work with local jurisdictions in these regards. Policy decisions regarding the expenditures of such funds shall be made jointly by the Executive Director of the Governor's Office for Children and the Secretaries of Health and Mental Hygiene, Human Resources, Juvenile Services, Budget and Management, and the State Superintendent of Education.

R00A02.08 Assistance to State for Educating Students With Disabilities
Federal Fund Appropriation 202,948,035

R00A02.09 Gifted and Talented
Federal Fund Appropriation 916,850

R00A02.12 Educationally Deprived Children
Federal Fund Appropriation 200,625,196

R00A02.13 Innovative Programs
General Fund Appropriation, provided that ~~$2,500,000~~ ~~*$4,000,000*~~ ***$3,500,000*** of this appropriation made for the purpose of the Digital Learning Innovation Fund may not be expended until the Maryland State Department of Education (MSDE) submits a report to the budget committees describing the standards that will be used to allocate funds among projects that accelerate local school systems' conversion to digital learning and how MSDE will evaluate the impact of those funds. The report should include a list of projects that are proposed to receive funding in the grant's first year. The report shall be submitted by August 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Further provided that $2,000,000 of this appropriation made for the purpose of the Early College Innovation Fund may not be expended until the Maryland State Department of Education (MSDE) submits a report to the budget committees identifying the standards that will be used to award competitive grants to support early college partnerships and how MSDE will evaluate the impact of those funds. The report should include a list of projects that are proposed to receive funding in the

grant's first year. The report shall be submitted by August 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees ...	~~14,952,000~~ ~~12,452,000~~ ~~*13,952,000*~~ ***13,452,000***	
Federal Fund Appropriation	104,000	~~15,056,000~~ ~~12,556,000~~ ~~*14,056,000*~~ ***13,556,000***
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
R00A02.15 Language Assistance		
Federal Fund Appropriation		9,500,808
R00A02.18 Career and Technology Education		
Federal Fund Appropriation		13,164,126
R00A02.24 Limited English Proficient		
General Fund Appropriation		193,427,660
R00A02.25 Guaranteed Tax Base		
General Fund Appropriation		52,278,887
R00A02.27 Food Services Program		
General Fund Appropriation	9,516,664	
Federal Fund Appropriation	266,880,629	276,397,293
R00A02.31 Public Libraries		
General Fund Appropriation	34,014,134	
Federal Fund Appropriation	600,000	34,614,134

R00A02.32 State Library Network
General Fund Appropriation 16,196,779

R00A02.39 Transportation
General Fund Appropriation***, provided that $2,081,559 of the appropriation intended to increase funding for student transportation may not be expended for that purpose but instead may be used only to provide grants to restore 25% of the reduction to local school systems for which total direct education aid in fiscal 2014 is less than the amount received in fiscal 2013 by more than 1.0%, contingent on enactment of legislation establishing the grants.***

Further provided that $123,667 of the appropriation intended to increase funding for student transportation may not be expended for that purpose but instead may be used only to restore funds so that no local school system may receive a Supplemental Grant of less than $0 ..... ~~256,768,501~~
~~254,487,852~~
256,693,078

R00A02.52 Science and Mathematics Education Initiative
General Fund Appropriation 2,221,230
Federal Fund Appropriation 1,397,363 3,618,593

R00A02.55 Teacher Development
General Fund Appropriation, provided that $1,040,000 of this appropriation made for the purpose of National Board Certification fees is contingent on the enactment of legislation reauthorizing the program 5,390,000
Federal Fund Appropriation 33,082,000 38,472,000

R00A02.57 Transitional Education Funding Program

General Fund Appropriation		10,575,000
R00A02.58 Head Start		
General Fund Appropriation		1,800,000
R00A02.59 Child Care Subsidy Program		
General Fund Appropriation	39,897,835	
Federal Fund Appropriation	35,087,453	74,985,288

SUMMARY

Total General Fund Appropriation	5,803,072,496
Total Special Fund Appropriation	357,939,401
Total Federal Fund Appropriation	781,429,867
Total Appropriation	6,942,441,764

FUNDING FOR EDUCATIONAL ORGANIZATIONS

R00A03.01 Maryland School for the Blind		
General Fund Appropriation		18,299,263
R00A03.02 Blind Industries and Services of Maryland		
General Fund Appropriation		531,115
R00A03.03 Other Institutions		
General Fund Appropriation		6,131,446
Alice Ferguson Foundation	79,378	
Alliance of Southern Prince George's Communities, Inc.	31,752	
American Visionary Art Museum	15,040	
Arts Excel – Baltimore Symphony Orchestra	63,503	
B&O Railroad Museum	60,161	
Baltimore Museum of Industry	80,214	
Best Buddies International (MD Program)	158,756	
Chesapeake Bay Foundation	416,945	
Chesapeake Bay Maritime Museum	20,053	
Citizenship Law–Related		

Education	29,244
College Bound	35,930
The Dyslexia Tutoring Program, Inc.	35,930
Echo Hill Outdoor School	53,476
Imagination Stage	238,136
Jewish Museum of Maryland	12,533
Junior Achievement of Central Maryland	40,106
Living Classrooms Foundation	304,145
Maryland Academy of Sciences	873,169
Maryland Historical Society	119,484
Maryland Humanities Council	41,777
Maryland Leadership Workshops	43,450
Maryland Mathematics, Engineering and Science Achievement	76,035
Maryland Zoo in Baltimore – Education Component	812,171
National Aquarium in Baltimore	474,601
National Great Blacks in Wax Museum	40,106
National Museum of Ceramic Art and Glass	20,053
Northbay Adventure	927,558
Olney Theatre	139,539
Outward Bound	127,006
Port Discovery	111,130
Salisbury Zoological Park	17,546
Sotterley Foundation	12,533
South Baltimore Learning Center	40,106
State Mentoring Resource Center	76,036
Sultana Projects	20,053
Super Kids Camp	391,043
The Village Learning Place, Inc.	43,450
Walters Art Museum	15,875
Ward Museum	33,423

R00A03.04 Aid to Non–Public Schools

Special Fund Appropriation, provided that this appropriation shall be for the purchase of textbooks or computer

hardware and software and other electronically delivered learning materials as permitted under Title IID, Section 2416(b)(4), (6), and (7) of the No Child Left Behind Act for loan to students in eligible non–public schools with a maximum distribution of ~~$60~~ ***$65*** per eligible non–public school student for participating schools, except that at schools where at least 20% of the students are eligible for the free or reduced price lunch program there shall be a distribution of ~~$90~~ ***$95*** per student. To be eligible to participate, a non–public school shall:

(1) Hold a certificate of approval from or be registered with the State Board of Education;

(2) Not charge more tuition to a participating student than the statewide average per pupil expenditure by the local education agencies, as calculated by the department, with appropriate exceptions for special education students as determined by the department; and

(3) Comply with Title VI of the Civil Rights Act of 1964, as amended.

The department shall establish a process to ensure that the local education agencies are effectively and promptly working with the non–public schools to assure that the non–public schools have appropriate access to federal funds for which they are eligible.

Further provided that the Maryland State Department of Education shall:

(1) Assure that the process for textbook, computer hardware, and computer software acquisition uses

a list of qualified textbook, computer hardware, and computer software vendors and of qualified textbooks, computer hardware, and computer software; uses textbooks, computer hardware, and computer software that are secular in character and acceptable for use in any public elementary or secondary school in Maryland; and

(2) Receive requisitions for textbooks, computer hardware, and computer software to be purchased from the eligible and participating schools, and forward the approved requisitions and payments to the qualified textbook, computer hardware, or computer software vendor who will send the textbooks, computer hardware, or computer software directly to the eligible school which will:

(i) Report shipment receipt to the department;

(ii) Provide assurance that the savings on the cost of the textbooks, computer hardware, or computer software will be dedicated to reducing the cost of textbooks, computer hardware, or computer software for students; and

(iii) Since the textbooks, computer hardware, or computer software shall remain property of the State, maintain appropriate shipment receipt records for audit purposes ..... ~~5,540,000~~ ~~4,440,000~~ *5,540,000*

SUMMARY

Total General Fund Appropriation	24,961,824
Total Special Fund Appropriation	5,540,000
Total Appropriation	30,501,824

CHILDREN'S CABINET INTERAGENCY FUND

R00A04.01 Children's Cabinet Interagency Fund

It is the intent of the General Assembly that $1,823,709 of the allocations to Local Management Boards for early interventions and prevention activities be used to fund these activities through Youth Services Bureaus (YSB) in the same proportion as fiscal 2013.

General Fund Appropriation~~, provided that $1,823,709 of this appropriation made for the purpose of early intervention and prevention activities may only be used to fund these activities through Youth Services Bureaus. Further provided that the allocation of funding among Youth Services Bureaus shall be distributed in the same proportions as provided in fiscal 2013. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund~~ 21,529,953

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

MARYLAND LONGITUDINAL DATA SYSTEM CENTER

R00A05.01 Maryland Longitudinal Data System

Center		
General Fund Appropriation	~~1,598,223~~ 1,593,903	
Federal Fund Appropriation	646,666	~~2,244,889~~ 2,240,569

MORGAN STATE UNIVERSITY

R13M00.00 Morgan State University		
Current Unrestricted Appropriation, provided that $1,535,170 of this appropriation made for the purpose of converting contractual positions and adding regular faculty positions may not be expended until Morgan State University submits a report to the budget committees documenting the positions that have been converted and identifying new regular faculty that have been hired in response to enrollment growth. The report shall include a policy, approved by the Board of Regents, on conversion of contractual positions. The report shall be submitted by September 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees ...	178,518,803	
Current Restricted Appropriation	56,538,535	235,057,338

ST. MARY'S COLLEGE OF MARYLAND

R14D00.00 St. Mary's College of Maryland		
Current Unrestricted Appropriation	71,324,138	
Current Restricted Appropriation	4,200,000	75,524,138

MARYLAND PUBLIC BROADCASTING COMMISSION

R15P00.01 Executive Direction and Control		
Special Fund Appropriation		705,583

R15P00.02 Administration and Support Services		
General Fund Appropriation	7,734,332	
Special Fund Appropriation	797,834	8,532,166
R15P00.03 Broadcasting		
Special Fund Appropriation	9,737,490	
Federal Fund Appropriation	950,496	10,687,986

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

R15P00.04 Content Enterprises		
Special Fund Appropriation	4,328,852	
Federal Fund Appropriation	540,000	4,868,852

SUMMARY

Total General Fund Appropriation	7,734,332
Total Special Fund Appropriation	15,569,759
Total Federal Fund Appropriation	1,490,496
Total Appropriation	24,794,587

UNIVERSITY SYSTEM OF MARYLAND

UNIVERSITY OF MARYLAND, BALTIMORE

R30B21.00 University of Maryland, Baltimore		
Current Unrestricted Appropriation	551,511,233	
Current Restricted Appropriation	511,184,136	1,062,695,369

UNIVERSITY OF MARYLAND, COLLEGE PARK

R30B22.00 University of Maryland, College Park

Current Unrestricted Appropriation~~, provided that the appropriation herein for the University of Maryland, College Park~~

~~made for the purpose of the College Park Academy Public Charter School shall be reduced by $500,000~~, ***provided that it is the intent of the General Assembly that $500,000 made for the purpose of the College Park Academy Public Charter School shall be one–time funding provided to fund the start–up of the school*** 1,364,727,288
Current Restricted Appropriation 442,447,069 1,807,174,357

BOWIE STATE UNIVERSITY

R30B23.00 Bowie State University
Current Unrestricted Appropriation 89,542,299
Current Restricted Appropriation 20,500,000 110,042,299

TOWSON UNIVERSITY

R30B24.00 Towson University
Current Unrestricted Appropriation 395,743,972
Current Restricted Appropriation 47,735,110 443,479,082

UNIVERSITY OF MARYLAND EASTERN SHORE

R30B25.00 University of Maryland Eastern Shore
Current Unrestricted Appropriation, provided that since the University of Maryland Eastern Shore (UMES) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits, $100,000 of this agency's administrative appropriation may not be expended unless:

(1) UMES has taken corrective action with respect to all repeat audit findings on or before January 1, 2014; and

(2) a report is submitted to the budget committees by the Office of Legislative Audits listing each repeat audit finding along with a

determination that each repeat finding was corrected. The budget committees shall have 45 days to review and comment to allow for funds to be released prior to the end of fiscal 2014.

Further provided that $300,000 of this appropriation made for the purpose of matching federal funds for the Evans–Allen Program and the McIntire–Stennis Program at the Agriculture Experiment Stations may be used only for this purpose. It is the intent of the General Assembly that this funding represents the first payment toward meeting the $2,200,000 in matching funds needed for these two federal 1890 land grant programs at the University of Maryland Eastern Shore. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled 101,287,489

Current Restricted Appropriation	32,924,881	134,212,370

FROSTBURG STATE UNIVERSITY

R30B26.00 Frostburg State University

Current Unrestricted Appropriation	95,387,083	
Current Restricted Appropriation	12,051,000	107,438,083

COPPIN STATE UNIVERSITY

R30B27.00 Coppin State University

It is the intent of the General Assembly that the 2013 Special Review Committee for Coppin State University review the appropriateness of programs, personnel, and spending on intercollegiate athletics and issue recommendations for athletics in addition to its original charge.

Current Unrestricted Appropriation 69,364,621

Current Restricted Appropriation	22,987,893	92,352,514

UNIVERSITY OF BALTIMORE

R30B28.00 University of Baltimore		
Current Unrestricted Appropriation	111,431,416	
Current Restricted Appropriation	17,104,875	128,536,291

SALISBURY UNIVERSITY

R30B29.00 Salisbury University		
Current Unrestricted Appropriation	160,140,768	
Current Restricted Appropriation	12,475,000	172,615,768

UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE

R30B30.00 University of Maryland University College		
Current Unrestricted Appropriation	402,386,178	
Current Restricted Appropriation	35,274,732	437,660,910

UNIVERSITY OF MARYLAND BALTIMORE COUNTY

R30B31.00 University of Maryland Baltimore County		
Current Unrestricted Appropriation	295,107,586	
Current Restricted Appropriation	87,270,590	382,378,176

UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE

R30B34.00 University of Maryland Center for Environmental Science		
Current Unrestricted Appropriation	27,468,154	
Current Restricted Appropriation	18,115,369	45,583,523

UNIVERSITY SYSTEM OF MARYLAND OFFICE

R30B36.00 University System of Maryland Office		
Current Unrestricted Appropriation	26,896,197	
Current Restricted Appropriation	3,572,448	30,468,645

MARYLAND HIGHER EDUCATION COMMISSION

R62I00.01 General Administration		
General Fund Appropriation	4,731,792	
Special Fund Appropriation	415,819	
Federal Fund Appropriation	515,467	5,663,078
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
R62I00.02 College Prep/Intervention Program		
General Fund Appropriation		750,000
R62I00.03 Joseph A. Sellinger Formula for Aid to Non–Public Institutions of Higher Education		
General Fund Appropriation		~~41,291,975~~ ~~40,981,263~~ ~~*41,277,390*~~ ***41,291,975***
R62I00.05 The Senator John A. Cade Funding Formula for the Distribution of Funds to Community Colleges		
General Fund Appropriation		~~228,989,184~~ ~~227,421,848~~ ~~*228,914,749*~~ ***228,989,184***
R62I00.06 Aid to Community Colleges – Fringe Benefits		
General Fund Appropriation	57,591,174	
Special Fund Appropriation	665,895	58,257,069
R62I00.07 Educational Grants		
General Fund Appropriation, provided that $4,900,000 in general funds designated to enhance the State's four historically black institutions may not be expended until the Maryland Higher Education Commission submits a report to the budget committees		

outlining how the funds will be spent. The budget committees shall have 45 days to review and comment on the report	8,151,725	
Federal Fund Appropriation	3,100,000	11,251,725

To provide Education Grants to various State, Local and Private Entities

Complete College Maryland	250,000
Improving Teacher Quality	1,000,000
OCR Enhancement Fund	4,900,000
Interstate Educational Compacts in Optometry	41,475
Regional Higher Education Centers	2,550,000
College Access Challenge Grant Program	2,000,000
Washington Center for Internships and Academic Seminars	125,000
UMB–WellMobile	285,250
John R. Justice Grant.....	100,000

R62I00.10 Educational Excellence Awards		
General Fund Appropriation	74,963,593	
Special Fund Appropriation	4,000,000	78,963,593
R62I00.12 Senatorial Scholarships		
General Fund Appropriation		6,486,000
R62I00.14 Edward T. Conroy Memorial Scholarship Program		
General Fund Appropriation		570,474
R62I00.15 Delegate Scholarships		
General Fund Appropriation		5,459,501
R62I00.16 Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program		
Special Fund Appropriation		358,000
R62I00.17 Graduate and Professional Scholarship Program		
General Fund Appropriation		1,174,473

R62I00.20 Distinguished Scholar Program		
General Fund Appropriation		2,041,000
R62I00.21 Jack F. Tolbert Memorial Student Grant Program		
General Fund Appropriation		200,000
R62I00.26 Janet L. Hoffman Loan Assistance Repayment Program		
General Fund Appropriation		1,492,895
R62I00.28 Maryland Loan Assistance Repayment Program for Physicians		
Special Fund Appropriation		1,032,282
Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.		
R62I00.33 Part–time Grant Program		
General Fund Appropriation		5,087,780
R62I00.34 Major Information Technology Development Projects		
General Fund Appropriation		201,010
R62I00.36 Workforce Shortage Student Assistance Grants		
General Fund Appropriation		1,254,775
R62I00.37 Veterans of the Afghanistan and Iraq Conflicts Scholarships		
General Fund Appropriation		750,000
R62I00.38 Nurse Support Program II		
General Fund Appropriation	45,280	
Special Fund Appropriation	15,458,473	15,503,753
R62I00.39 Health Personnel Shortage Incentive Grant Program		
Special Fund Appropriation		1,000,000

SUMMARY

Total General Fund Appropriation	441,232,631
Total Special Fund Appropriation	22,930,469
Total Federal Fund Appropriation	3,615,467
Total Appropriation	467,778,567

HIGHER EDUCATION

R75T00.01 Support for State Operated Institutions of Higher Education

The following amounts constitute the General Fund appropriation for the State operated institutions of higher education. The State Comptroller is hereby authorized to transfer these amounts to the accounts of the programs indicated below in four equal allotments; said allotments to be made on July 1 and October 1 of 2013 and January 1 and April 1 of 2014. Neither this appropriation nor the amounts herein enumerated constitute a lump sum appropriation as contemplated by Sections 7–207 and 7–233 of the State Finance and Procurement Article of the Code.

Program	Title	
R30B21	University of Maryland, Baltimore	186,903,533
R30B22	University of Maryland, College Park	417,771,593
R30B23	Bowie State University	36,196,366
R30B24	Towson University	93,044,259
R30B25	University of Maryland Eastern Shore	32,605,048
R30B26	Frostburg State University	34,166,324
R30B27	Coppin State University	38,406,033
R30B28	University of Baltimore	30,844,124
R30B29	Salisbury University	40,111,538
R30B30	University of Maryland University College	33,877,581
R30B31	University of Maryland	

Baltimore County 96,961,871
R30B34 University of Maryland
Center for Environmental
Science..... 19,657,601
R30B36 University System of
Maryland Office 19,929,919

Subtotal University System
of Maryland..... 1,080,475,790

R95C00 Baltimore City
Community College 41,828,437
R14D00 St. Mary's College
of Maryland..... 18,425,157
R13M00 Morgan State
University 74,343,229

General Fund Appropriation~~, provided that the appropriation for the University System of Maryland institutions shall be reduced by $4,000,000.~~

Further provided that ~~$5,000,000~~ ***$3,000,000*** of this appropriation made for the purpose of the University System of Maryland institutions may not be used for that purpose but instead may be transferred by budget amendment to the Maryland Higher Education Commission Educational Excellence Awards (R62I00.10). Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

~~Further provided that $500,000 *$600,000* of this appropriation made for the purpose of the University System of Maryland institutions may not be used for that purpose but instead may be transferred by budget amendment to the Maryland Higher Education Commission (MHEC) General Administration (R62I00.01) to be used for the purpose of funding five *six* positions. MHEC shall request the creation of these positions. Funds not~~

~~expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund. MHEC shall report to the budget committees on the positions created by December 1, 2013.~~

Further provided that ~~$7,000,000~~ ~~*$16,062,496*~~ ***$13,000,000*** of this appropriation made for the purpose of funding program initiatives at the University System of Maryland (USM) institutions may not be expended until USM submits a report to the budget committees detailing how these funds will be used and metrics to measure the progress or results of the activities funded by this appropriation. The report shall be submitted to the budget committees by July 1, 2013, or 45 days prior to the release of funds. The budget committees shall have 45 days to review and comment on the report. Funds restricted pending receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees. *It is the intent of the General Assembly that* ~~*the $16,062,496 may not be included as part of USM's base funding and shall be subtracted from the base when determining the fiscal 2015 budget*~~ ***programs funded with initiative funding that meet or show progress toward meeting the submitted metrics in fiscal 2016 will continue to receive funding for an additional two years***.

Further provided that $1,535,170 of this appropriation made for the purpose of converting contractual positions and adding regular faculty positions may not be expended until Morgan State University submits a report to the budget committees documenting the positions that have been converted and identifying

new regular faculty that have been hired in response to enrollment growth. The report shall include a policy, approved by the Board of Regents, on conversion of contractual positions. The report shall be submitted by September 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

~~Further provided that the appropriation herein for the University of Maryland, College Park made for the purpose of the College Park Academy Public Charter School shall be reduced by $500,000.~~

It is the intent of the General Assembly that $500,000 made for the purpose of the College Park Academy Public Charter School shall be one–time funding provided to fund the start–up of the school.

Further provided that since the University of Maryland Eastern Shore (UMES) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits, $100,000 of this agency's administrative appropriation may not be expended unless:

(1) UMES has taken corrective action with respect to all repeat audit findings on or before January 1, 2014; and

(2) a report is submitted to the budget committees by the Office of Legislative Audits listing each repeat audit finding along with a determination that each repeat finding was corrected. The budget

committees shall have 45 days to review and comment to allow for funds to be released prior to the end of fiscal 2014.

Further provided that $6,710,095 of the appropriation for the University System of Maryland institutions made for the purpose of funding MPowering and technology transfer activities may be used only for this purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund ..... ~~1,215,072,613~~
~~1,214,763,850~~
~~*1,215,056,145*~~
1,215,072,613

The following amounts constitute an estimate of Special Fund revenues derived from the Higher Education Investment Fund and the Maryland Emergency Medical System Operations Fund. These revenues support the Special Fund appropriation for the State operated institutions of higher education. The State Comptroller is hereby authorized to transfer these amounts to the accounts of the programs indicated below in four allotments; said allotments to be made on July 1 and October 1 of 2013 and January 1 and April 1 of 2014. To the extent revenue attainment is lower than estimated, the Comptroller shall adjust the transfers at year end. Neither this appropriation nor the amounts herein enumerated constitute a lump sum appropriation as contemplated by Sections 7–207 and 7–233 of the State Finance and Procurement Article of the Code.

Program	Title	
R30B21	University of Maryland, Baltimore	13,199,191
R30B22	University of Maryland, College Park	37,135,695

R30B23 Bowie State University 2,556,200
R30B24 Towson University 6,570,817
R30B25 University of Maryland
Eastern Shore 2,302,580
R30B26 Frostburg State
University 2,412,838
R30B27 Coppin State
University 2,712,247
R30B28 University of Baltimore 2,178,223
R30B29 Salisbury University 2,832,691
R30B30 University of Maryland
University College 2,392,446
R30B31 University of Maryland
Baltimore County 6,847,480
R30B34 University of Maryland
Center for Environmental
Science.....1,388,227
R30B36 University System of
Maryland Office 1,407,458

Subtotal University System
of Maryland.....83,936,093

R14D00 St. Mary's College
of Maryland.....383,840
R13M00 Morgan State
University 5,611,430

Special Fund Appropriation, provided that $7,632,523 of this appropriation shall be used by the University of Maryland, College Park (R30B22) for no other purpose than to support MFRI as provided in Section 13–955 of the Transportation Article.

~~Further provided that $800,000 *$400,000* of this appropriation may be used only to provide a grant to St. Mary's College of Maryland (SMCM) to offset *half of* a 4% increase in the resident undergraduate tuition rate for fiscal 2014 on the condition that the Board of Trustees of SMCM does not increase the resident undergraduate tuition rate above the amount charged for the preceding academic year, $12,245~~ ***Further***

provided that $1,100,000 of this appropriation may be used only to provide a grant to St. Mary's College of Maryland to implement a freeze in the resident undergraduate tuition rate for fiscal 2014 and to fund the DeSousa–Brent Scholars Completion Grant, contingent on enactment of S.B. 828 or H.B. 831. Funds not used for this restricted purpose shall revert to the Higher Education Investment Fund ..... 89,931,363 ~~1,305,003,976~~ ~~1,304,695,213~~ ~~1,304,987,508~~ ***1,305,003,976***

BALTIMORE CITY COMMUNITY COLLEGE

R95C00.00 Baltimore City Community College

Current Unrestricted Appropriation	~~69,488,393~~ ~~69,179,630~~ ~~69,471,925~~ ***69,488,393***	
Current Restricted Appropriation	27,221,962	~~96,710,355~~ ~~96,401,592~~ ~~96,693,887~~ ***96,710,355***

MARYLAND SCHOOL FOR THE DEAF

FREDERICK CAMPUS

R99E01.00 Services and Institutional Operations

General Fund Appropriation	19,397,935	
Special Fund Appropriation	222,532	
Federal Fund Appropriation	245,459	19,865,926

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

COLUMBIA CAMPUS

R99E02.00 Services and Institutional Operations		
General Fund Appropriation	9,092,648	
Special Fund Appropriation	175,489	
Federal Fund Appropriation	319,652	9,587,789

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

OFFICE OF THE SECRETARY

S00A20.01 Office of the Secretary		
Special Fund Appropriation	2,468,375	
Federal Fund Appropriation	1,193,379	3,661,754
S00A20.03 Office of Management Services		
Special Fund Appropriation	2,207,991	
Federal Fund Appropriation	1,086,751	3,294,742

SUMMARY

Total Special Fund Appropriation	4,676,366
Total Federal Fund Appropriation	2,280,130
Total Appropriation	6,956,496

DIVISION OF CREDIT ASSURANCE

S00A22.01 Maryland Housing Fund		
Special Fund Appropriation		428,355
S00A22.02 Asset Management		
Special Fund Appropriation	1,984,089	
Federal Fund Appropriation	2,896,037	4,880,126

S00A22.03 Maryland Building Codes

Special Fund Appropriation		704,591

SUMMARY

Total Special Fund Appropriation	3,117,035
Total Federal Fund Appropriation	2,896,037
Total Appropriation	6,013,072

DIVISION OF NEIGHBORHOOD REVITALIZATION

S00A24.01 Neighborhood Revitalization

General Fund Appropriation	1,260,000	
Special Fund Appropriation	11,663,282	
Federal Fund Appropriation	11,986,019	24,909,301

S00A24.02 Neighborhood Revitalization – Capital Appropriation

Special Fund Appropriation	1,350,000	
Federal Fund Appropriation	10,000,000	11,350,000

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SUMMARY

Total General Fund Appropriation	1,260,000
Total Special Fund Appropriation	13,013,282
Total Federal Fund Appropriation	21,986,019
Total Appropriation	36,259,301

DIVISION OF DEVELOPMENT FINANCE

S00A25.01 Administration

Special Fund Appropriation		2,755,294
S00A25.02 Housing Development Program		
Special Fund Appropriation	3,856,672	
Federal Fund Appropriation	445,000	4,301,672
S00A25.03 Homeownership Programs		
Special Fund Appropriation	4,789,818	
Federal Fund Appropriation	25,000	4,814,818
S00A25.04 Special Loan Programs		
Special Fund Appropriation	19,907,755	
Federal Fund Appropriation	5,596,433	25,504,188
S00A25.05 Rental Services Programs		
General Fund Appropriation	1,700,000	
Special Fund Appropriation	50,000	
Federal Fund Appropriation	225,031,626	226,781,626

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

S00A25.07 Rental Housing Programs – Capital Appropriation		
Special Fund Appropriation	20,125,000	
Federal Fund Appropriation	6,000,000	26,125,000
S00A25.08 Homeownership Programs – Capital Appropriation		
Special Fund Appropriation		900,000
S00A25.09 Special Loan Programs – Capital Appropriation		
Special Fund Appropriation	800,000	
Federal Fund Appropriation	3,000,000	3,800,000

S00A25.14 Maryland BRAC Preservation Loan

Fund – Capital Appropriation
Special Fund Appropriation 2,250,000

SUMMARY

Total General Fund Appropriation	1,700,000
Total Special Fund Appropriation	55,434,539
Total Federal Fund Appropriation	240,098,059
Total Appropriation	297,232,598

DIVISION OF INFORMATION TECHNOLOGY

S00A26.01 Information Technology		
Special Fund Appropriation	1,807,520	
Federal Fund Appropriation	1,377,998	3,185,518

S00A26.02 Major Information Technology Development Projects
Special Fund Appropriation 75,000

SUMMARY

Total Special Fund Appropriation	1,882,520
Total Federal Fund Appropriation	1,377,998
Total Appropriation	3,260,518

DIVISION OF FINANCE AND ADMINISTRATION

S00A27.01 Finance and Administration		
Special Fund Appropriation	4,743,543	
Federal Fund Appropriation	1,888,860	6,632,403

MARYLAND AFRICAN AMERICAN MUSEUM CORPORATION

S50B01.01 General Administration
General Fund Appropriation, provided that $100,000 of this appropriation made for the purpose of providing operating support for the Maryland African American

Museum Corporation may not be expended until the corporation submits a report that details the organizational and fund–raising improvements that resulted from the in–house collaboration with an arts management consultant. The report shall include any changes that resulted from the collaboration that would allow the corporation to meet matching fund requirements as intended by the General Assembly. The report shall be submitted by December 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees ...		2,000,000

DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT

OFFICE OF THE SECRETARY

T00A00.01 Secretariat Services		
General Fund Appropriation	2,171,012	
Special Fund Appropriation	307,643	
Federal Fund Appropriation	51,835	2,530,490
T00A00.03 Office of Attorney General		
General Fund Appropriation	91,664	
Special Fund Appropriation	1,501,255	
Federal Fund Appropriation	5,564	1,598,483
T00A00.04 Maryland Enterprise Investment Fund Administration		
Special Fund Appropriation		1,293,961
T00A00.05 Maryland Biotechnology Center		
General Fund Appropriation	986,488	
Special Fund Appropriation	2,576,766	3,563,254
T00A00.08 Office of Administration and		

Technology		
General Fund Appropriation	3,718,841	
Special Fund Appropriation	805,183	
Federal Fund Appropriation	116,000	4,640,024

SUMMARY

Total General Fund Appropriation	6,968,005
Total Special Fund Appropriation	6,484,808
Total Federal Fund Appropriation	173,399
Total Appropriation	13,626,212

DIVISION OF MARKETING AND COMMUNICATIONS

T00E00.01 Division of Marketing and Communications		
General Fund Appropriation	2,534,153	
Special Fund Appropriation	783,412	3,317,565

DIVISION OF BUSINESS AND ENTERPRISE DEVELOPMENT

T00F00.01 Assistant Secretary Business and Enterprise Development		
General Fund Appropriation	492,125	
Special Fund Appropriation	44,353	536,478
T00F00.02 Office of International Investment and Trade		
General Fund Appropriation	1,775,638	
Special Fund Appropriation	76,697	
Federal Fund Appropriation	588,429	2,440,764
T00F00.03 Maryland Small Business Development Financing Authority		
Special Fund Appropriation		1,794,716
T00F00.04 Office of Business Development		
General Fund Appropriation	3,198,501	
Special Fund Appropriation	795,849	3,994,350

T00F00.05 Office of Strategic Industries and Innovation		
General Fund Appropriation	2,777,099	
Special Fund Appropriation	434,342	3,211,441
T00F00.07 Partnership for Workforce Quality		
Special Fund Appropriation		125,000
T00F00.08 Financing Programs Operations		
Special Fund Appropriation		3,634,744
T00F00.09 Maryland Small Business Development Financing Authority – Business Assistance		
General Fund Appropriation	1,500,000	
Special Fund Appropriation~~, provided that $2,000,000 of this appropriation is contingent upon the enactment of legislation authorizing the use of revenue from the Small, Minority, and Women-Owned Business Investment Account~~	~~6,755,000~~	~~8,255,000~~
	4,755,000	6,255,000
T00F00.12 Maryland Biotechnology Investment Tax Credit Reserve Fund		
General Fund Appropriation		10,000,000
T00F00.13 Office of Military Affairs		
General Fund Appropriation	817,929	
Special Fund Appropriation	85,147	
Federal Fund Appropriation	288,522	1,191,598
T00F00.15 Small, Minority, and Women–Owned Business Investment Account		
Special Fund Appropriation		9,102,207
T00F00.16 Economic Development Opportunity Fund		
Special Fund Appropriation.....		1,071,429
T00F00.17 Maryland Enterprise Investment Fund and Challenge Programs		
Special Fund Appropriation		25,615,000

T00F00.18 Military Personnel and Service–Disabled Veteran Loan Program
General Fund Appropriation 300,000

T00F00.19 CyberMaryland Investment Incentive Tax Credit Program
General Fund Appropriation, provided that this appropriation is contingent upon the enactment of legislation authorizing the CyberMaryland Investment Incentive Tax Credit program 3,000,000

T00F00.23 Maryland Economic Development Assistance Authority and Fund
General Fund Appropriation~~, provided that $150,000 of this appropriation made for the purpose of providing business financial assistance may not be expended for that purpose and instead may only be used to develop an "Innovation Portal" to be used as a means of connecting investors and entrepreneurs in the State. Further provided that the department shall develop a means of self–financing the continued operation of the portal. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund~~, ***provided that $150,000 of this appropriation made for the purpose of providing business financial assistance may not be expended for that purpose and instead may only be used to develop an "Innovation Portal" to be used as a means of connecting investors and entrepreneurs in the State. The development of the portal shall be in collaboration with the Maryland Technology Development Corporation. Further provided that the department shall develop a means of self–financing the continued operation of the portal. Funds not expended for this restricted purpose***

may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Further provided that $500,000 of this appropriation made for the purpose of providing business financial assistance may not be expended for that purpose and instead may be transferred by budget amendment to the Maryland Technology Development Corporation (program T50T01.01) to fully fund the grants and operations of the Rural Business Initiative. Funds not used for this restricted purpose may not be expended or otherwise transferred and shall revert to the General Fund .. ~~4,500,000~~ ~~2,650,000~~ ~~0~~ ***3,500,000***

Special Fund Appropriation	10,500,000	~~15,000,000~~ ~~13,150,000~~ ~~10,500,000~~ ***14,000,000***

SUMMARY

Total General Fund Appropriation	27,361,292
Total Special Fund Appropriation	58,034,484
Total Federal Fund Appropriation	876,951
Total Appropriation	86,2272,727

DIVISION OF TOURISM, FILM AND THE ARTS

T00G00.01 Office of the Assistant Secretary		
General Fund Appropriation	1,357,874	
Special Fund Appropriation	60,000	1,417,874

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

T00G00.02 Office of Tourism Development		
General Fund Appropriation	3,491,496	
Special Fund Appropriation	127,528	3,619,024
T00G00.03 Maryland Tourism Development Board		
General Fund Appropriation	8,500,000	
Special Fund Appropriation	300,000	8,800,000

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

T00G00.05 Maryland State Arts Council		
General Fund Appropriation	15,231,547	
Special Fund Appropriation	300,000	
Federal Fund Appropriation	732,118	16,263,665

SUMMARY

Total General Fund Appropriation	28,580,917
Total Special Fund Appropriation	787,528
Total Federal Fund Appropriation	732,118
Total Appropriation	30,100,563

MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION

T50T01.01 Technology Development, Transfer and Commercialization	
General Fund Appropriation	3,173,192

T50T01.03 Maryland Stem Cell Research Fund

General Fund Appropriation 10,400,000

T50T01.04 Maryland Innovation Initiative
General Fund Appropriation 5,000,000

SUMMARY

Total General Fund Appropriation 18,573,192

DEPARTMENT OF THE ENVIRONMENT

OFFICE OF THE SECRETARY

U00A01.01 Office of the Secretary
General Fund Appropriation, provided that since the Maryland Department of the Environment (MDE) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), $100,000 of this agency's administrative appropriation may not be expended unless:

(1) MDE has taken corrective action with respect to all repeat audit findings on or before January 1, 2014; and

(2) a report is submitted to the budget committees by OLA listing each repeat audit finding along with a determination that each repeat finding was corrected. The budget committees shall have 45 days to review and comment to allow for funds to be released prior to the end of fiscal 2014 1,068,268
Special Fund Appropriation 628,508
Federal Fund Appropriation 883,997 2,580,773

U00A01.03 Capital Appropriation – Water Quality Revolving Loan Fund
Special Fund Appropriation 88,960,000
Federal Fund Appropriation 34,200,000 123,160,000

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

U00A01.04 Capital Appropriation – Hazardous Substance Clean–Up Program

General Fund Appropriation		300,000

U00A01.05 Capital Appropriation – Drinking Water Revolving Loan Fund

Special Fund Appropriation	8,770,000	
Federal Fund Appropriation	10,398,000	19,168,000

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

U00A01.11 Capital Appropriation – Bay Restoration Fund – Wastewater

Special Fund Appropriation		88,000,000

U00A01.12 Capital Appropriation – Bay Restoration Fund – Septic Systems

Special Fund Appropriation		15,000,000

SUMMARY

Total General Fund Appropriation	1,368,268
Total Special Fund Appropriation	201,358,508
Total Federal Fund Appropriation	45,481,997
Total Appropriation	248,208,773

OPERATIONAL SERVICES ADMINISTRATION

U00A02.02 Operational Services Administration

General Fund Appropriation	5,375,088	

Special Fund Appropriation	1,951,876	
Federal Fund Appropriation	1,127,101	8,454,065

WATER MANAGEMENT ADMINISTRATION

U00A04.01 Water Management Administration

General Fund Appropriation	13,856,743	
Special Fund Appropriation	7,986,591	
Federal Fund Appropriation	7,804,390	29,647,724

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SCIENCE SERVICES ADMINISTRATION

U00A05.01 Science Services Administration

General Fund Appropriation	5,206,733	
Special Fund Appropriation	1,397,751	
Federal Fund Appropriation	5,336,063	11,940,547

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

LAND MANAGEMENT ADMINISTRATION

U00A06.01 Land Management Administration

General Fund Appropriation	3,230,402	
Special Fund Appropriation	19,465,883	
Federal Fund Appropriation	9,807,093	32,503,378

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this

program.

AIR AND RADIATION MANAGEMENT ADMINISTRATION

U00A07.01 Air and Radiation Management Administration		
General Fund Appropriation	1,213,456	
Special Fund Appropriation	10,951,406	
Federal Fund Appropriation	4,215,922	16,380,784

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

COORDINATING OFFICES

U00A10.01 Coordinating Offices		
General Fund Appropriation	4,016,310	
Special Fund Appropriation	8,842,156	
Federal Fund Appropriation	4,589,091	17,447,557

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

U00A10.03 Bay Restoration Fund Debt Service	
Special Fund Appropriation	9,431,200

SUMMARY

Total General Fund Appropriation	4,016,310
Total Special Fund Appropriation	18,273,356
Total Federal Fund Appropriation	4,589,091
Total Appropriation	26,878,757

DEPARTMENT OF JUVENILE SERVICES

OFFICE OF THE SECRETARY

V00D01.01 Office of the Secretary

General Fund Appropriation		3,707,983

DEPARTMENTAL SUPPORT

V00D02.01 Departmental Support

General Fund Appropriation, provided that $100,000 of this appropriation made for the purpose of providing departmental support may not be expended until the Department of Juvenile Services in conjunction with the Innovations Institute at the University of Maryland School of Social Work conducts a gap identification analysis of residential and community–based gender–specific services and submits the findings to the budget committees. The analysis should compare the current service array to the identified needs of the offender population and assess whether the services are sufficient to meet the needs of all youth, and girls specifically. To the extent that gaps in the available services are identified, the report should also include a proposed action plan for addressing those gaps. The report shall be submitted by December 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.....	23,806,376	
Special Fund Appropriation	351,101	
Federal Fund Appropriation	192,264	24,349,741

RESIDENTIAL AND COMMUNITY OPERATIONS

V00E01.01 Residential and Community Operations

General Fund Appropriation, provided that $100,000 of this appropriation may not be expended until the Department of Juvenile Services (DJS) consults with the Department of Public Safety and Correctional Services (DPSCS) on ways to improve facility culture and expedite the hiring process for direct care staff. DJS and DPSCS should jointly submit a report to the budget committees outlining the recommendations of DPSCS and a plan for implementation. The report shall be submitted by October 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees ...	3,697,455	
Special Fund Appropriation	19,673	
Federal Fund Appropriation	~~1,503,772~~ 782,244	~~5,220,900~~ 4,499,372

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

BALTIMORE CITY REGION

V00G01.01 Baltimore City Region Administrative		
General Fund Appropriation		3,775,933
V00G01.02 Baltimore City Region Community Operations		
General Fund Appropriation	40,477,576	
Special Fund Appropriation	680,171	
Federal Fund Appropriation	1,308,414	42,466,161

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby

granted to use these receipts as special funds for operating expenses in this program.

V00G01.03 Baltimore City Region State Operated Residential		
General Fund Appropriation	22,667,216	
Special Fund Appropriation	97,627	
Federal Fund Appropriation	258,947	23,023,790

SUMMARY

Total General Fund Appropriation	66,920,725
Total Special Fund Appropriation	777,798
Total Federal Fund Appropriation	1,567,361
Total Appropriation	69,265,884

CENTRAL REGION

V00H01.01 Central Region Administrative		
General Fund Appropriation		1,962,790
V00H01.02 Central Region Community Operations		
General Fund Appropriation	21,006,067	
Special Fund Appropriation	284,474	
Federal Fund Appropriation	577,717	21,868,258
V00H01.03 Central Region State Operated Residential		
General Fund Appropriation	15,179,387	
Special Fund Appropriation	5,990	
Federal Fund Appropriation	106,834	15,292,211

SUMMARY

Total General Fund Appropriation	38,148,244
Total Special Fund Appropriation	290,464
Total Federal Fund Appropriation	684,551

Total Appropriation		39,123,259

WESTERN REGION

V00I01.01 Western Region Administrative		
General Fund Appropriation		2,240,494
V00I01.02 Western Region Community Operations		
General Fund Appropriation	8,373,181	
Special Fund Appropriation	166,534	
Federal Fund Appropriation	302,825	8,842,540
V00I01.03 Western Region State Operated Residential		
General Fund Appropriation	27,678,783	
Special Fund Appropriation	1,581,562	
Federal Fund Appropriation	842,817	30,103,162

SUMMARY

Total General Fund Appropriation		38,292,458
Total Special Fund Appropriation		1,748,096
Total Federal Fund Appropriation		1,145,642
Total Appropriation		41,186,196

EASTERN SHORE REGION

V00J01.01 Eastern Shore Region Administrative		
General Fund Appropriation		1,353,595
V00J01.02 Eastern Shore Region Community Operations		
General Fund Appropriation	13,197,374	
Special Fund Appropriation	283,983	
Federal Fund Appropriation	603,919	14,085,276
V00J01.03 Eastern Shore Region State Operated Residential		
General Fund Appropriation	7,156,823	
Special Fund Appropriation	105,402	

Federal Fund Appropriation	52,830	7,315,055

SUMMARY

Total General Fund Appropriation	21,707,792
Total Special Fund Appropriation	389,385
Total Federal Fund Appropriation	656,749
Total Appropriation	22,753,926

SOUTHERN REGION

V00K01.01 Southern Region Administrative		
General Fund Appropriation		638,583
V00K01.02 Southern Region Community Operations		
General Fund Appropriation	16,217,249	
Special Fund Appropriation	296,241	
Federal Fund Appropriation	474,969	16,988,459
V00K01.03 Southern Region State Operated Residential		
General Fund Appropriation	7,922,540	
Special Fund Appropriation	2,829	
Federal Fund Appropriation	47,375	7,972,744

SUMMARY

Total General Fund Appropriation	24,778,372
Total Special Fund Appropriation	299,070
Total Federal Fund Appropriation	522,344
Total Appropriation	25,599,786

METRO REGION

V00L01.01 Metro Region Administrative	
General Fund Appropriation	1,383,609

V00L01.02 Metro Region Community Operations		
General Fund Appropriation	33,188,083	
Special Fund Appropriation	527,942	
Federal Fund Appropriation	1,482,156	35,198,181

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

V00L01.03 Metro Region State Operated Residential		
General Fund Appropriation	24,975,357	
Special Fund Appropriation	35,524	
Federal Fund Appropriation	378,616	25,389,497

SUMMARY

Total General Fund Appropriation	59,547,049
Total Special Fund Appropriation	563,466
Total Federal Fund Appropriation	1,860,772
Total Appropriation	61,971,287

DEPARTMENT OF STATE POLICE

MARYLAND STATE POLICE

W00A01.01 Office of the Superintendent		
General Fund Appropriation		17,669,004
W00A01.02 Field Operations Bureau		
General Fund Appropriation	114,031,601	
Special Fund Appropriation	80,064,899	194,096,500

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this

program.

W00A01.03 Criminal Investigation Bureau		
General Fund Appropriation	32,183,813	
Special Fund Appropriation	343,870	32,527,683
W00A01.04 Support Services Bureau		
General Fund Appropriation	49,372,728	
Special Fund Appropriation	50,000	
Federal Fund Appropriation	500,000	49,922,728

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

W00A01.08 Vehicle Theft Prevention Council	
Special Fund Appropriation	2,000,000
W00A01.12 Major Information Technology Development Projects	
Special Fund Appropriation	102,685

SUMMARY

Total General Fund Appropriation	213,257,146
Total Special Fund Appropriation	82,561,454
Total Federal Fund Appropriation	500,000
Total Appropriation	296,318,600

FIRE PREVENTION COMMISSION AND FIRE MARSHAL

W00A02.01 Fire Prevention Services	
General Fund Appropriation	7,644,123

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special

funds for operating expenses in this program.

PUBLIC DEBT

It is the intent of the General Assembly that the State reduce the amount of proposed private activity general obligation bond debt in fiscal 2015 and beyond. To implement this intent the Administration shall reduce the level of private activity authorizations to less than $5,000,000 per fiscal year in the fiscal 2015 to 2019 Capital Improvement Program.

X00A00.01 Redemption and Interest on State Bonds

General Fund Appropriation, provided that $83,000,000 of this appropriation made for the purpose of general obligation bonds' debt service payments may only be expended for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be returned to the Annuity Bond Fund to address future debt service	~~101,000,000~~ 83,000,000	
Special Fund Appropriation	870,170,789	
Federal Fund Appropriation	12,381,082	~~983,551,871~~ 965,551,871

STATE RESERVE FUND

Y01A01.01 Revenue Stabilization Account

General Fund Appropriation	~~371,256,263~~ ~~206,256,263~~ ~~131,256,263~~ ***55,256,263***

Y01A02.01 Dedicated Purpose Account

General Fund Appropriation, *provided that $5,771,558 of this appropriation intended to increase the balance in the Revenue Stabilization Account may not be expended*

for that purpose but instead may be used only to provide grants to local school systems for which total direct education aid in fiscal 2014 is less than the amount received in fiscal 2013. Further provided that this provision is contingent on the enactment of Chapter (_____) (H.B. 102) of the Acts of the General Assembly of 2013. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund~~, provided that $50,000,000 of this appropriation shall be reduced contingent upon the enactment of legislation repealing the required repayment to the Local Income Tax Reserve.~~

~~Further provided that $50,000,000 of this appropriation shall be reduced contingent upon the enactment of legislation deferring the required repayment of State transfer tax revenue~~ ..... ~~105,000,000~~
0

~~Transfer Tax Repayment . ~~ ~~50,000,000~~
~~Local Income Tax Reserve Repayment .....~~ ~~50,000,000~~
~~Government – Innovation Fund .....~~ ~~5,000,000~~

OFFICE OF THE PUBLIC DEFENDER

FY 2013 Deficiency Appropriation

C80B00.02 District Operations

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for case related expenses.

General Fund Appropriation 1,098,367

EXECUTIVE DEPARTMENT

FY 2013 Deficiency Appropriation

DEPARTMENT OF DISABILITIES

D12A02.01 General Administration
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for post–secondary education opportunities for people with intellectual disabilities which will help them develop their independence, problem solving and employment skills.

Special Fund Appropriation..... 44,000

EXECUTIVE DEPARTMENT – BOARDS, COMMISSIONS AND OFFICES

FY 2013 Deficiency Appropriation

D15A05.03 Governor's Office of Minority Affairs
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to conduct a study of the Maryland State Retirement and Pension System pursuant to Chapters 577 and 578, Laws of Maryland 2012.

General Fund Appropriation 40,000

D15A05.03 Governor's Office of Minority Affairs
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover the cost of leave payouts for staff separating from the Office.

General Fund Appropriation 96,876

D15A05.05 Governor's Office of Community Initiatives
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover the cost of leave

payouts for staff separating from the Office.

General Fund Appropriation 6,000

D15A05.16 Governor's Office of Crime Control and Prevention

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover the cost of leave payouts for staff separating from the Office.

General Fund Appropriation 20,000

D15A05.23 State Labor Relations Boards

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for staff salaries and to cover leave payouts for staff separating from the Office.

General Fund Appropriation 16,000

DEPARTMENT OF PLANNING

FY 2013 Deficiency Appropriation

D40W01.03 Planning Data Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to complete payments to the Office of the Attorney General relating to redistricting appeals cases.

General Fund Appropriation 19,600

D40W01.07 Management Planning and Educational Outreach

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to procure grants management software.

Special Fund Appropriation..... 200,000

DEPARTMENT OF VETERANS AFFAIRS

FY 2013 Deficiency Appropriation

D55P00.05 Veterans Home Program

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the Charlotte Hall Veterans Home due to lower census data than anticipated.

General Fund Appropriation	540,000

MARYLAND HEALTH BENEFIT EXCHANGE

FY 2013 Deficiency Appropriation

D78Y01.01 Maryland Health Benefit Exchange

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for 20 new positions, advertising and studies, and grants to be provided to entities that will serve as Navigators to help individuals seeking health insurance coverage.

General Fund Appropriation	2,226,102
Federal Fund Appropriation.....	1,666,893
Total Appropriation	3,892,995

D78Y01.02 Major Information Technology Development Projects

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the development of the information technology infrastructure for the Maryland Health Exchange. These funds are matching funds for an Affordable Care Act grant.

General Fund Appropriation	3,895,159
Federal Fund Appropriation.....	19,691,529

Total Appropriation 23,586,688

MARYLAND INSURANCE ADMINISTRATION

FY 2013 Deficiency Appropriation

INSURANCE ADMINISTRATION AND REGULATION

D80Z01.01 Administration and Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the review of health insurance rates as part of the implementation of the Affordable Care Act.

Federal Fund Appropriation..... 1,050,000

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION

FY 2013 Deficiency Appropriation

E50C00.01 Office of the Director
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover shortfalls in annual leave payouts, special technical fees, legal services and supplies.

General Fund Appropriation 160,278

E50C00.08 Property Tax Credit Programs
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover shortfalls in postage, supplies, printing and duplication.

General Fund Appropriation 81,067

E50C00.10 Charter Unit
To become available immediately upon passage of this

budget to supplement the appropriation for fiscal year 2013 to provide funds to cover shortfalls for banking fees in the Charter Unit.

Special Fund Appropriation..... 501,000

STATE LOTTERY AND GAMING CONTROL AGENCY

FY 2013 Deficiency Appropriation

E75D00.02 Video Lottery Terminal and Gaming Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for 12 new auditing, compliance, and investigation positions for the casino in Allegany County.

General Fund Appropriation 216,484

E75D00.02 Video Lottery Terminal and Gaming Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for 44 positions that the Board of Public Works created in November 2012 pursuant to the State Lottery and Gaming Control Agency's expanded responsibilities and oversight.

General Fund Appropriation 1,664,015

E75D00.02 Video Lottery Terminal and Gaming Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for 5 new administrative positions pursuant to the State Lottery and Gaming Control Agency's expanded responsibilities and oversight.

General Fund Appropriation 110,563

DEPARTMENT OF BUDGET AND MANAGEMENT

FY 2013 Deficiency Appropriation

OFFICE OF PERSONNEL SERVICES AND BENEFITS

F10A02.08 Statewide Expenses

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the estimated costs of the State's workers' compensation claims based on activity through September 2012 plus a carryover shortfall of $4.9 million from fiscal year 2012.

General Fund Appropriation 12,400,000

F10A02.08 Statewide Expenses

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to settle additional State's workers' compensation claims.

General Fund Appropriation 2,000,000

DEPARTMENT OF INFORMATION TECHNOLOGY

FY 2013 Deficiency Appropriation

MAJOR INFORMATION TECHNOLOGY DEVELOPMENT FUND

F50A01.01 Major Information Technology Development Fund

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to purchase radios for the 700 MHz Public Safety Communications System.

General Fund Appropriation 5,189,377

DEPARTMENT OF NATURAL RESOURCES

FY 2013 Deficiency Appropriation

FOREST SERVICE

K00A02.09 Forest Service

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for unanticipated out–of–state fire overtime expenses and federal grant awards.

Federal Fund Appropriation 754,000

MARYLAND PARK SERVICE

K00A04.01 Statewide Operation

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the Maryland Conservation Corps program.

General Fund Appropriation 343,000

K00A04.01 Statewide Operation

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the Potomac River Conservation Job Training Program.

Special Fund Appropriation..... 49,997

LAND ACQUISITION AND PLANNING

K00A05.05 Land Acquisition and Planning

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to carry out an agreement with the National Parks Service as part of the National Trail Systems Recovery Project.

Federal Fund Appropriation..... 17,590

RESOURCE ASSESSMENT SERVICE

K00A12.06 Monitoring and Ecosystem Assessment

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for surface water quality monitoring associated with Marcellus Shale gas well drilling.

General Fund Appropriation 385,000

K00A12.07 Maryland Geological Survey

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for ground water quality monitoring associated with Marcellus Shale gas well drilling.

General Fund Appropriation 115,000

WATERSHED SERVICES

K00A14.02 Chesapeake and Coastal Service

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the Chesapeake Bay and Atlantic Coastal Bays Trust Fund, to offset a revenue shortfall to the fund.

General Fund Appropriation 2,800,000

DEPARTMENT OF AGRICULTURE

FY 2013 Deficiency Appropriation

OFFICE OF RESOURCE CONSERVATION

L00A15.04 Resource Conservation Grants

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to support the Cover Crop Program.

General Fund Appropriation 1,600,000

DEPARTMENT OF HEALTH AND MENTAL

HYGIENE

FY 2013 Deficiency Appropriation

PREVENTION AND HEALTH PROMOTION ADMINISTRATION

M00B01.05 Board of Nursing

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for increased administrative costs and Disaster Recovery Plan activities.

Special Fund Appropriation..... 1,071,281

M00B01.06 Maryland Board of Physicians

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to purchase a new integrated medical licensure and investigation software system.

Provided that the new integrated medical licensure and investigation information technology (IT) system shall be considered a major IT development project as defined by Section 3A–301 of the State Finance and Procurement Article and subject to all statutory provisions that relate to such projects. Further provided that the Maryland Board of Physicians shall establish a separate subprogram to track spending associated with this project.

Special Fund Appropriation..... ~~600,000~~
132,000

M00F03.01 Infectious Disease and Environmental Health Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for Maryland's Integrated Behavioral Health/Primary Care Network and to develop strategic plans for billing immunization services in health department clinics.

Federal Fund Appropriation 1,907,645

M00F03.04 Family Health and Chronic Disease Services
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for increased Women, Infants and Children activities.

Federal Fund Appropriation 1,827,885

OFFICE OF PREPAREDNESS AND RESPONSE

M00F06.01 Office of Preparedness and Response
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for Public Health Emergency Preparedness activities, Centers for Disease Control and Prevention BioSense 2.0 activities, and National Bioterrorism Hospital Preparedness activities.

Federal Fund Appropriation 5,922,869

MENTAL HYGIENE ADMINISTRATION

M00L01.02 Community Services
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for Maryland Linking Actions for Unmet Needs in Children's Health Project (LAUNCH) activities, Maryland's Launching Individual Futures Together (LIFT) activities, increased Community Mental Health Services Block grant activities, and Maryland Behavioral Health Collaborative activities.

Federal Fund Appropriation 2,386,986

MEDICAL CARE PROGRAMS ADMINISTRATION

M00Q01.03 Medical Care Provider Reimbursements
To become immediately available upon passage of this

budget to reduce the appropriation for fiscal year 2013 to realize savings attributable to favorable enrollment trends.

General Fund Appropriation	~~–46,934,000~~ –77,634,000
Federal Fund Appropriation	~~–46,934,000~~ –77,634,000
Total Appropriation	~~–93,868,000~~ –155,268,000

M00Q01.03 Medical Care Provider Reimbursements

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover the cost of medical care provider reimbursements.

Special Fund Appropriation	21,288,143

HEALTH REGULATORY COMMISSIONS

M00R01.01 Maryland Health Care Commission

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover the increased cost of the Patient Centered Medical Home Program and the increased cost for the Small Employer Health Benefit Premium Subsidy Program.

Special Fund Appropriation	1,063,419

M00R01.02 Health Services Cost Review Commission

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide special funds to cover increased administrative costs and Uncompensated Care Fund payments.

Special Fund Appropriation	11,023,453

DEPARTMENT OF HUMAN RESOURCES

FY 2013 Deficiency Appropriation

LOCAL DEPARTMENT OPERATIONS

N00G00.03 Child Welfare Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to resolve a disallowed Title IV–E payment from fiscal year 2009.

General Fund Appropriation	9,606,858

N00G00.03 Child Welfare Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to align the Title IV–E appropriation with the actual Title IV–E federal grant.

General Fund Appropriation	40,769,889
Federal Fund Appropriation	–40,769,889
Total Appropriation	0

N00G00.08 Assistance Payments

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to align Temporary Cash Assistance participation and to align the fiscal year 2013 appropriation with the actual Temporary Assistance for Needy Families (TANF) federal grant.

General Fund Appropriation	19,281,943
Federal Fund Appropriation	–24,524,665
Total Appropriation	–5,242,722

DEPARTMENT OF LABOR, LICENSING AND REGULATION

FY 2013 Deficiency Appropriation

DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING

P00G01.12 Adult Education and Literacy Program

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for upgrading the office's current General Educational Development tracking system for compatibility with the new computer exam as well as making up for an anticipated shortfall in Special Fund revenue.

General Fund Appropriation	413,571
Federal Fund Appropriation	1,758,941
Total Appropriation	2,172,512

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

FY 2013 Deficiency Appropriation

DEPUTY SECRETARY FOR OPERATIONS

Q00A02.03 Programs and Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for substance abuse treatment under the Public Safety Compact.

General Fund Appropriation	891,695

Q00A02.04 Security Operations

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for motor vehicle operating expenses.

General Fund Appropriation	300,000

CORRECTIONS – NORTH

Q00R02.01 Maryland Correctional Institution–Hagerstown
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for inmate food and other materials and supplies, and for inmate wages.

General Fund Appropriation 2,906,800

CORRECTIONS – SOUTH

Q00S02.01 Jessup Correctional Institution
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for custodial overtime expenses.

General Fund Appropriation 7,800,000

CORRECTIONS – CENTRAL

Q00S02.01 Metropolitan Transition Center
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for the cell phone managed access contract.

General Fund Appropriation 598,901

STATE DEPARTMENT OF EDUCATION

FY 2013 Deficiency Appropriation

HEADQUARTERS

R00A01.02 Division of Business Services
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the general operations of the Division of Business Services.

Federal Fund Appropriation..... 314,164

R00A01.04 Division of Accountability, Assessment, and Data Systems

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the development and scoring of the Maryland School Assessments and High School Assessments and to recognize additional federal grant amounts.

General Fund Appropriation	17,265,334
Federal Fund Appropriation	3,631,643
Total Appropriation	20,896,977

R00A01.15 Juvenile Services Education Program

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide education services at the Waxter Children's Center, William Donald Schaefer House, and Noyes Children's Center, the three facilities where MSDE is assuming education programming responsibilities in FY 2013.

General Fund Appropriation	771,056

AID TO EDUCATION

R00A02.03 Aid For Local Employee Fringe Benefits

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover State Retirement Agency administrative fees for local libraries.

General Fund Appropriation	311,650

R00A02.04 Children At Risk

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover unreimbursed federal funds for TANF–eligible expenditures from 2001.

General Fund Appropriation 12,937,710

MARYLAND HIGHER EDUCATION COMMISSION

FY 2013 Deficiency Appropriation

R62I00.01 General Administration
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for salaries and fringes.

General Fund Appropriation 380,122

R62I00.01 General Administration
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for contractual staff to create and maintain the online registration system.

Special Fund Appropriation..... 130,197

R62I00.05 The Senator John A. Cade Funding Formula for the Distribution of Funds to Community Colleges
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for costs associated with past obligations of the State and Health Manpower Grants.

General Fund Appropriation 3,000,000

R62I00.07 Educational Grants
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for scholarships.

Special Fund Appropriation..... 270,000

R62I00.10 Educational Excellence Awards
To become available immediately upon passage of this budget to supplement the appropriation for fiscal

year 2013 to provide funds for the Educational Excellence Awards scholarships.

Special Fund Appropriation..... 6,500,000

R62I00.14 Edward T. Conroy Memorial Scholarship Program

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the Edward T. Conroy Memorial Scholarship.

Special Fund Appropriation..... 100,000

R62I00.37 Veterans of the Afghanistan and Iraq Conflicts Scholarships

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the Veterans of the Afghanistan and Iraq Conflicts Scholarships.

Special Fund Appropriation..... 150,000

R62I00.38 Nurse Support Program II

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the Nurse Support Program II.

Special Fund Appropriation..... 2,000,000

R62I00.39 Health Personnel Shortage Incentive Grant Program

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the Health Personnel Shortage Incentive Grant Program.

Special Fund Appropriation..... 500,000

MARYLAND SCHOOL FOR THE DEAF

FY 2013 Deficiency Appropriation

FREDERICK CAMPUS

R99E01.00 Services and Institutional Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for special education expenditures.

Federal Fund Appropriation 30,800

COLUMBIA CAMPUS

R99E02.00 Services and Institutional Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for special education expenditures.

Federal Fund Appropriation 17,200

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

FY 2013 Deficiency Appropriation

DIVISION OF DEVELOPMENT FINANCE

S00A25.03 Homeownership Programs
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for grants in the Maryland Affordable Housing Trust.

Special Fund Appropriation 460,000

S00A25.05 Rental Assistance Programs
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for Section 8 Housing Assistance Program.

Federal Fund Appropriation 5,000,000

MARYLAND AFRICAN AMERICAN MUSEUM CORPORATION

FY 2013 Deficiency Appropriation

S50B01.01 General Administration
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to address a fiscal year 2013 operating deficit.

General Fund Appropriation 430,000

DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT

FY 2013 Deficiency Appropriation

DIVISION OF BUSINESS AND ENTERPRISE DEVELOPMENT

T00F00.05 Office of Strategic Industries and Innovation
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to complete the proposal to operate an Unmanned Aerial Systems test site in Maryland.

General Fund Appropriation 500,000

DEPARTMENT OF THE ENVIRONMENT

FY 2013 Deficiency Appropriation

U00A05.01 Science Services Administration
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for stream sampling, economic analysis, a public health study, and salary costs related to the Marcellus Shale Executive Order.

General Fund Appropriation 520,000

U00A07.01 Air and Radiation Management Administration
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to establish a new air monitoring station in Western Maryland related to the Marcellus Shale Executive Order.

General Fund Appropriation 480,000

U00A07.01 Air and Radiation Management Administration
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for vehicles in support of air quality activities.

Special Fund Appropriation..... 142,506

DEPARTMENT OF JUVENILE SERVICES

FY 2013 Deficiency Appropriation

BALTIMORE CITY REGION

V00G01.02 Baltimore City Region Community Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for residential per–diem placements.

General Fund Appropriation 1,341,975
Special Fund Appropriation..... 175,958

Total Appropriation 1,517,933

CENTRAL REGION

V00H01.02 Central Region Community Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for residential per–diem placements.

General Fund Appropriation	1,139,907
Special Fund Appropriation	149,463
Total Appropriation	1,289,370

EASTERN SHORE REGION

V00J01.02 Eastern Shore Region Community Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for residential per–diem placements.

General Fund Appropriation	700,858
Special Fund Appropriation	91,896
Total Appropriation	792,754

SOUTHERN REGION

V00K01.02 Southern Region Community Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for residential per–diem placements.

General Fund Appropriation	1,436,713
Special Fund Appropriation	188,381
Total Appropriation	1,625,094

METRO REGION

V00L01.02 Metro Region Community Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for residential per–diem placements.

General Fund Appropriation	3,467,101

Special Fund Appropriation.....	454,603
Total Appropriation	3,921,704

DEPARTMENT OF STATE POLICE

FY 2013 Deficiency Appropriation

MARYLAND STATE POLICE

W00A01.02 Field Operations Bureau

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the Aviation Division to offset Emergency Management Operations Fund Revenue to keep the fund solvent through fiscal year 2014.

General Fund Appropriation, provided that the appropriation made for the purpose of a General Fund deficiency for the Maryland State Police Aviation Command (MSPAC) to reduce Maryland Emergency Medical System Operations Fund (MEMSOF) expenditures shall be reduced by $2,700,000 contingent on enactment of legislation to raise the motor vehicle registration fee. The Governor is authorized to process a special fund budget amendment to restore $2,700,000 from MEMSOF to MSPAC	2,700,000
Special Fund Appropriation.....	–2,700,000
Total Appropriation	0

W00A01.02 Field Operations Bureau

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to reimburse the Transportation Trust Funds as the result of an incorrect reversion to the General Fund, in fiscal year 2005.

General Fund Appropriation	5,783,516

W00A01.03 Criminal Investigations Bureau

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the Forensic Sciences Division to maintain systems and keep up with workload.

General Fund Appropriation 350,000

W00A01.04 Support Services Bureau

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the automation of firearm background checks in the Licensing Division.

General Fund Appropriation 400,000

PUBLIC DEBT

FY 2013 Deficiency Appropriation

X00A01.01 Redemption and Interest on State Bonds

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the redemption and interest on State bonds.

Federal Fund Appropriation..... 197,820

SECTION 2. AND BE IT FURTHER ENACTED, That in order to carry out the provisions of these appropriations the Secretary of Budget and Management is authorized:

(a) To allot all or any portion of the funds herein appropriated to the various departments, boards, commissions, officers, schools and institutions by monthly, quarterly or seasonal periods and by objects of expense and may place any funds appropriated but not allotted in contingency reserve available for subsequent allotment. Upon the Secretary's own initiative or upon the request of the head of any State agency, the Secretary may authorize a change in the amount of funds so allotted.

The Secretary shall, before the beginning of the fiscal year, file with the Comptroller of the Treasury a schedule of allotments, if any. The Comptroller shall not

authorize any expenditure or obligation in excess of the allotment made and any expenditure so made shall be illegal.

(b) To allot all or any portion of funds coming into the hands of any department, board, commission, officer, school and institution of the State, from sources not estimated or calculated upon in the budget.

(c) To fix the number and classes of positions, including temporary and permanent positions, or person years of authorized employment for each agency, unit, or program thereof, not inconsistent with the Public General Laws in regard to classification of positions. The Secretary shall make such determination before the beginning of the fiscal year and shall base them on the positions or person years of employment authorized in the budget as amended by approved budgetary position actions. No payment for salaries or wages nor any request for or certification of personnel shall be made except in accordance with the Secretary's determinations. At any time during the fiscal year the Secretary may amend the number and classes of positions or person years of employment previously fixed by the Secretary; the Secretary may delegate all or part of this authority. The governing boards of public institutions of higher education shall have the authority to transfer positions between programs and campuses under each institutional board's jurisdiction without the approval of the Secretary, as provided in Section 15–105 of the Education Article.

(d) To prescribe procedures and forms for carrying out the above provisions.

SECTION 3. AND BE IT FURTHER ENACTED, That in accordance with Section 7–109 of the State Finance and Procurement Article of the Annotated Code of Maryland, it is the intention of the General Assembly to include herein a listing of nonclassified flat rate or per diem positions by unit of State government, job classification, the number in each job classification and the amount proposed for each classification. The Chief Judge of the Court of Appeals may make adjustments to positions contained in the Judicial portion of this section (including judges) that are impacted by changes in salary plans or by salary actions in the executive agencies.

JUDICIARY

Chief Judge, Court of Appeals	1	185,908
Judge, Court of Appeals (@ 166,908)	6	1,001,448
Chief Judge, Court of Special Appeals	1	157,108
Judge, Court of Special Appeals (@ 154,108)	14	2,157,512
Judge, Circuit Court (@ 144,908)	162	23,475,096
Chief Judge, District Court of Maryland	1	154,108
Judge, District Court (@ 131,108)	115	15,077,420
Judiciary Clerk of Court A (@ 98,500)	5	492,500
Judiciary Clerk of Court B (@ 96,750)	6	580,500
Judiciary Clerk of Court C (@ 95,600)	6	573,600
Judiciary Clerk of Court D (@ 92,600)	7	648,200

OFFICE OF THE PUBLIC DEFENDER

Public Defender	1	144,908

OFFICE OF THE ATTORNEY GENERAL

Attorney General	1	125,000

OFFICE OF THE STATE PROSECUTOR

State Prosecutor	1	144,908

PUBLIC SERVICE COMMISSION

Commissioner (@ 132,651)	4	530,604

WORKERS' COMPENSATION COMMISSION

Chairman	1	133,508
Commissioner (@ 131,808)	9	1,186,272

EXECUTIVE DEPARTMENT – GOVERNOR

Governor	1	150,000
Lieutenant Governor	1	125,000

SECRETARY OF STATE

Secretary of State	1	87,500

MARYLAND STATE BOARD OF CONTRACT APPEALS

Chairman	1	118,799
Member	1	107,149
Member	1	107,149

MARYLAND INSTITUTE FOR EMERGENCY
MEDICAL SERVICES SYSTEMS

EMS Executive Director	1	242,932

OFFICE OF THE COMPTROLLER

Comptroller	1	125,000

STATE TREASURER'S OFFICE

Treasurer	1	125,000

MARYLAND STATE RETIREMENT AND PENSION SYSTEMS

State Retirement Administrator	1	135,252

MARYLAND DEPARTMENT OF TRANSPORTATION

State Highway Administration

State Highway Administrator	1	153,000

Maryland Port Administration

Executive Director	1	262,181
Deputy Executive Director, Development and Administration	1	154,572
Director, Operations	1	138,587
Director, Marketing	1	129,971
CFO and Treasurer (MIT)	1	120,241
Director, Maritime Commercial Management	1	126,198
Director, Engineering	1	119,177
Deputy Director, Marketing	1	109,242
Director, Security	1	91,800
Deputy Director, Harbor Development	1	100,822
Manager, South America and Latin America Trade Development	1	91,966
General Manager, Cruise MD Marketing	1	82,052

Maryland Transit Administration

Maryland Transit Administrator	1	186,752
Senior Deputy Administrator, Transit Operations	1	124,848
Executive Director of Safety and Risk Management	1	132,557
Executive Project Director, New Starts	2	114,240

Maryland Aviation Administration

Executive Director	1	266,789
Deputy Executive Director, Facilities Development and Engineering	1	137,205
Deputy Executive Director, Technology, Human Resources, Safety and Training	1	121,080
Deputy Executive Director, Business Management and Administration	1	153,000
Director, Planning and Environmental Services	1	124,280
Director, Commercial Management	1	124,276

Director, Marketing, Communications and Customer Service	1	124,280
Director, Regional Aviation Assistance	1	85,322
Deputy Executive Director, Operations and Maintenance	1	155,856
Director of Engineering and Construction Management	1	127,500

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Maryland Parole Commission

Chairman	1	101,324
Member (@ 89,675)	9	807,075

PUBLIC EDUCATION

State Department of Education – Headquarters

State Superintendent of Schools	1	210,000

DEPARTMENT OF STATE POLICE

Maryland State Police

Pilot	1	82,760

SECTION 4. AND BE IT FURTHER ENACTED, That if any person holding an office of profit within the meaning of Article 35 of the Declaration of Rights, Constitution of Maryland, is appointed to or otherwise becomes the holder of a second office within the meaning of Article 35 of the Declaration of Rights, Constitution of Maryland, then no compensation or other emolument, except expenses incurred in connection with attendance at hearings, meetings, field trips, and working sessions, shall be paid from any funds appropriated by this bill to that person for any services in connection with the second office.

SECTION 5. AND BE IT FURTHER ENACTED, That amounts received pursuant to Sections 2–201 and 7–217 of the State Finance and Procurement Article may be expended by approved budget amendment.

SECTION 6. AND BE IT FURTHER ENACTED, That funds appropriated by this bill may be transferred among programs in accordance with the procedure provided in Sections 7–205 through 7–212, inclusive, of the State Finance and Procurement Article.

SECTION 7. AND BE IT FURTHER ENACTED, That, except as otherwise provided, amounts received from sources estimated or calculated upon in the budget in

excess of the estimates for any special or federal fund appropriations listed in this bill may be made available by approved budget amendment.

SECTION 8. AND BE IT FURTHER ENACTED, That authorization is hereby granted to transfer by budget amendment General Fund amounts for the operations of State office buildings and facilities to the budgets of the various agencies and departments occupying the buildings.

SECTION 9. AND BE IT FURTHER ENACTED, That $7,081,325 is appropriated in the various agency budgets for tort claims (including motor vehicles) under the provisions of the State Government Article, Title 12, Subtitle 1, the Maryland Tort Claims Act (MTCA). These funds are to be transferred to the State Insurance Trust Fund; these funds, together with funds appropriated in prior budgets for tort claims but unexpended, are the only funds available to make payments under the provisions of the MTCA.

(A) Tort claims for incidents or occurrences occurring after October 1, 1999, paid from the State Insurance Trust Fund, are limited hereby and by State Treasurer's regulations to payments of no more than $200,000 to a single claimant for injuries arising from a single incident or occurrence.

(B) Tort claims for incidents or occurrences occurring after July 1, 1996, and before October 1, 1999, paid from the State Insurance Trust Fund, are limited hereby and by State Treasurer's regulations to payments of no more than $100,000 to a single claimant for injuries arising from a single incident or occurrence.

(C) Tort claims for incidents or occurrences resulting in death on or after July 1, 1994, and before July 1, 1996, paid from the State Insurance Trust Fund, are limited hereby and by State Treasurer's regulations to payments of no more than $75,000 to a single claimant. All other tort claims occurring on or after July 1, 1994, and before July 1, 1996, paid from the State Insurance Trust Fund, are limited hereby and by State Treasurer's regulations to payments of no more than $50,000 to a single claimant for injuries arising from a single incident or occurrence.

(D) Tort claims for incidents or occurrences occurring prior to July 1, 1994, paid from the State Insurance Trust Fund, are limited hereby and by State Treasurer's regulations to payments of no more than $50,000 to a single claimant for injuries arising from a single incident or occurrence.

SECTION 10. AND BE IT FURTHER ENACTED, That authorization is hereby granted to transfer by budget amendment General Fund amounts, budgeted to the various State agency programs and subprograms which comprise the indirect cost pools under the Statewide Indirect Cost Plan, from the State agencies providing such services to the State agencies receiving the services. It is further authorized that

receipts by the State agencies providing such services from charges for the indirect services may be used as special funds for operating expenses of the indirect cost pools.

SECTION 11. AND BE IT FURTHER ENACTED, That certain funds appropriated to the various State agency programs and subprograms in Comptroller object 0882 (In–State Services – Computer Usage – ADC Only) shall be utilized to pay for services provided by the Comptroller of the Treasury, Data Processing Division, Computer Center Operations (E00A10.01) consistent with the reimbursement schedule provided for in the supporting budget documents. The expenditure or transfer of these funds for other purposes requires the prior approval of the Secretary of Budget and Management. Notwithstanding any other provision of law, the Secretary of Budget and Management may transfer amounts appropriated in Comptroller object 0882 between State departments and agencies by approved budget amendment in fiscal year 2014.

SECTION 12. AND BE IT FURTHER ENACTED, That, pursuant to Section 8–102 of the State Personnel and Pensions Article, the salary schedule for the executive pay plan during fiscal year 2014 shall be as set forth below. Adjustments to the salary schedule may be made during the fiscal year in accordance with the provisions of Sections 8–108 and 8–109 of the State Personnel and Pensions Article. Notwithstanding the inclusion of salaries for positions which are determined by agencies with independent salary setting authority in the salary schedule set forth below, such salaries may be adjusted during the fiscal year in accordance with such salary setting authority. The salaries presented may be off by $1 due to rounding.

Fiscal 2014
Executive Salary Schedule

	Scale	Minimum	Maximum
ES 4	9904	76,101	101,468
ES 5	9905	81,764	109,079
ES 6	9906	87,885	117,300
ES 7	9907	94,493	126,183
ES 8	9908	101,630	135,775
ES 9	9909	109,340	146,136
ES 10	9910	117,664	157,320
ES 11	9911	126,659	169,404
ES 91	9991	145,656	244,494

Classification Title	Scale	FY 2014 Allowance
OFFICE OF THE PUBLIC DEFENDER		
Deputy Public Defender	9909	129,278
Executive VI	9906	110,857

OFFICE OF THE ATTORNEY GENERAL

Deputy Attorney General	9909	146,136
Deputy Attorney General	9909	146,136
Senior Executive Associate Attorney General	9908	135,775
Senior Executive Associate Attorney General	9908	131,777
Senior Executive Associate Attorney General	9908	123,549

PUBLIC SERVICE COMMISSION

Chair	9991	153,000

OFFICE OF THE PEOPLE'S COUNSEL

People's Counsel	9906	104,615

SUBSEQUENT INJURY FUND

Executive Director	9906	117,300

UNINSURED EMPLOYERS' FUND

Executive Director	9906	87,885

EXECUTIVE DEPARTMENT – GOVERNOR

Executive Chief of Staff	9991	153,876
Executive Aide XI	9911	147,515
Executive Aide XI	9911	143,820
Executive Aide X	9910	153,876
Executive Aide X	9910	147,586
Executive Aide X	9910	147,586
Executive Aide X	9910	146,582
Executive Aide X	9910	144,665
Executive Aide IX	9909	132,833
Executive Aide IX	9909	132,651
Executive Aide IX	9909	118,320
Executive Aide IX	9909	109,340
Executive Aide VIII	9908	122,039

DEPARTMENT OF DISABILITIES

Secretary	9909	124,479
Deputy Secretary	9906	97,273

MARYLAND ENERGY ADMINISTRATION

Executive Aide VIII	9908	101,630

EXECUTIVE DEPARTMENT – BOARDS, COMMISSIONS AND OFFICES

Executive Aide IX	9909	126,735
Executive Aide VIII	9908	123,442
Executive Aide VIII	9908	122,400

GOVERNOR'S OFFICE FOR CHILDREN

Executive Aide VIII	9908	115,000

INTERAGENCY COMMITTEE FOR SCHOOL CONSTRUCTION

Executive VII	9907	121,986

DEPARTMENT OF AGING

Secretary	9909	127,345
Deputy Secretary	9906	95,509

MARYLAND COMMISSION ON CIVIL RIGHTS

Executive Director	9906	112,612
Deputy Director	9904	76,101

STATE BOARD OF ELECTIONS

State Administrator of Elections	9907	120,188

DEPARTMENT OF PLANNING

Secretary	9909	127,345
Deputy Director	9906	117,300
Executive V	9905	105,142

MILITARY DEPARTMENT

Military Department Operations and Maintenance

The Adjutant General	9909	133,172
Executive VIII	9908	127,500
Executive VII	9907	124,427
Executive VII	9907	122,456

DEPARTMENT OF VETERANS AFFAIRS

Secretary	9905	106,174

STATE ARCHIVES

State Archivist	9907	125,513

MARYLAND HEALTH BENEFIT EXCHANGE

Executive Director	9991	188,700
Health Benefit Exchange Executive XI	9911	163,200
Health Benefit Exchange Executive X	9910	153,000
Health Benefit Exchange Executive X	9910	142,800
Health Benefit Exchange Executive X	9910	124,440
Health Benefit Exchange Executive X	9910	117,810

MARYLAND INSURANCE ADMINISTRATION

Maryland Insurance Commissioner	9911	148,410
Maryland Deputy Insurance Commissioner	9908	134,263

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge	9907	120,360

COMPTROLLER OF MARYLAND

Office of the Comptroller

Chief Deputy Comptroller	9910	157,320
Executive Aide X	9910	157,320
Assistant State Comptroller VII	9907	122,427
Assistant State Comptroller V	9905	109,079

General Accounting Division

Assistant State Comptroller VII	9907	110,339

Bureau of Revenue Estimates

Assistant State Comptroller VII	9907	118,724

Revenue Administration Division

Assistant State Comptroller VII	9907	126,183

Compliance Division

Assistant State Comptroller VII	9907	124,508

Field Enforcement Division

Assistant State Comptroller VI	9906	104,158

Central Payroll Bureau

Assistant State Comptroller V	9905	109,079

Information Technology Division

Assistant State Comptroller VII	9907	116,822

STATE TREASURER'S OFFICE

Chief Deputy Treasurer	9909	139,441
Executive VIII	9908	132,651
Executive VIII	9908	101,630
Executive VI	9906	104,277
Executive V	9905	108,839
Executive V	9905	96,892
Executive V	9905	81,764
Executive V	9905	81,764
Executive V	9905	81,764

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION

Director	9908	123,878
Deputy Director	9906	115,755
Executive V	9905	101,659

STATE LOTTERY AND GAMING CONTROL AGENCY

Director	9911	168,300
Executive VIII	9908	131,325
Executive VII	9907	117,300
Executive VII	9907	117,300

DEPARTMENT OF BUDGET AND MANAGEMENT

Office of the Secretary

Secretary	9911	169,404

Deputy Secretary	9909	142,754

Office of Personnel Services and Benefits

Executive VIII	9908	128,148

Office of Budget Analysis

Executive VIII	9908	127,092

Office of Capital Budgeting

Executive VII	9907	113,622

DEPARTMENT OF INFORMATION TECHNOLOGY

Secretary	9911	169,404
Executive VIII	9908	132,600

MARYLAND STATE RETIREMENT AND PENSION SYSTEMS

Executive Director	9909	146,136

TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS

Executive VII	9907	107,417

DEPARTMENT OF GENERAL SERVICES

Office of the Secretary

Secretary	9909	141,142
Executive VII	9907	111,103

Office of Facilities Operation and Maintenance

Executive V	9905	97,920

Office of Procurement and Logistics

Executive V	9905	98,940

Office of Real Estate

Executive V	9905	97,920

Office of Facilities Planning, Design
and Construction

Executive V	9905	100,864

DEPARTMENT OF NATURAL RESOURCES

Office of the Secretary

Secretary	9910	151,754
Deputy Secretary	9908	131,777
Executive VI	9906	117,300
Executive VI	9906	117,300

Critical Area Commission

Chairman	9906	102,593

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Secretary	9909	132,651
Deputy Secretary	9907	108,791
Program Executive	9904	92,830

Office of Marketing, Animal Industries and Consumer Services

Executive V	9905	90,785

Office of Plant Industries and Pest Management

Executive V	9905	90,662

Office of Resource Conservation

Executive V	9905	100,507

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Office of the Secretary

Secretary	9911	169,404
Deputy Secretary	9908	124,781
Executive VII	9907	126,183
Executive VII	9907	96,135
Executive V	9905	98,375

Regulatory Services

Executive VI	9906	102,593

Deputy Secretary for Public Health Services

Executive IX	9909	143,136

Office of the Chief Medical Examiner

Chief Medical Examiner Post Mortem	9991	232,214

Laboratories Administration

Executive VI	9906	107,399

Deputy Secretary for Behavioral Health and Disabilities

Executive V	9905	102,091

Alcohol and Drug Abuse Administration

Executive VI	9906	87,885

Developmental Disabilities Administration

Executive VII	9907	120,360

Medical Care Programs Administration

Deputy Secretary	9910	157,320
Executive VI	9906	117,300
Executive VI	9906	109,242
Executive VI	9906	87,885

Health Regulatory Commissions

Executive Director, Maryland Health Care Access and Cost Commission	9908	135,775
Executive VIII	9908	118,575

DEPARTMENT OF HUMAN RESOURCES

Office of the Secretary

Secretary	9911	157,917

Deputy Secretary	9908	131,835
Deputy Secretary	9908	131,835
Deputy Secretary	9908	129,554

Social Services Administration

Executive VI	9906	104,040

Child Support Enforcement Administration

Executive Director	9906	111,180

Family Investment Administration

Executive VI	9906	108,473

DEPARTMENT OF LABOR, LICENSING AND REGULATION

Office of the Secretary

Secretary	9910	153,000
Deputy Secretary	9908	119,085

Division of Labor and Industry

Executive VI	9906	117,300

Division of Occupational and Professional Licensing

Executive VI	9906	108,473

Division of Workforce Development and Adult Learning

Executive VII	9907	94,493

Division of Unemployment Insurance

Executive VI	9906	113,671

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Office of the Secretary

Secretary	9911	169,404
Deputy Secretary	9908	135,775
Executive VII	9907	126,183

Executive VII	9907	105,580

Deputy Secretary for Operations

Deputy Secretary	9908	125,777

General Administration – North

Regional Executive Director	9907	126,183

General Administration – South

Regional Executive Director	9907	111,324

General Administration – Central

Regional Executive Director	9907	119,041

PUBLIC EDUCATION

State Department of Education – Headquarters

Deputy State Superintendent of Schools	9908	133,074
Assistant State Superintendent	9906	117,300
Assistant State Superintendent	9906	117,300
Assistant State Superintendent	9906	117,300
Assistant State Superintendent	9906	112,570
Assistant State Superintendent	9906	111,520
Assistant State Superintendent	9906	109,697
Assistant State Superintendent	9906	108,375
Assistant State Superintendent	9906	106,335
Assistant State Superintendent	9906	101,386
Assistant State Superintendent	9906	87,885

Maryland Longitudinal Data System Center

Executive VI	9906	114,500

Maryland Higher Education Commission

Secretary	9910	145,350
Assistant Secretary	9907	110,339

Maryland School for the Deaf – Frederick Campus

Superintendent	9907	126,183

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Office of the Secretary

Secretary	9910	151,754
Deputy Secretary	9908	135,775

Division of Credit Assurance

Executive VI	9906	117,181

Division of Neighborhood Revitalization

Executive VI	9906	108,848

Division of Development Finance

Executive VI	9906	114,029

DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT

Office of the Secretary

Secretary	9911	158,100
Deputy Secretary	9909	142,290
Executive VIII	9908	135,775

Division of Marketing and Communications

Executive VIII	9908	118,703

Division of Business and Enterprise Development

Executive VIII	9908	135,775

Division of Tourism, Film and the Arts

Executive VIII	9908	129,959

DEPARTMENT OF THE ENVIRONMENT

Office of the Secretary

Secretary	9910	143,847
Deputy Secretary	9908	132,137
Deputy Secretary	9908	128,361

Water Management Administration

Executive VI	9906	112,584

Land Management Administration

Executive VI	9906	116,451

Air and Radiation Management Administration

Executive VI	9906	114,731

DEPARTMENT OF JUVENILE SERVICES

Office of the Secretary

Secretary	9911	153,166

Departmental Support

Deputy Secretary	9908	122,410

Residential and Community Operations

Deputy Secretary	9908	122,410
Assistant Secretary	9905	96,055

DEPARTMENT OF STATE POLICE

Maryland State Police

Superintendent	9911	158,100
Executive VIII	9908	135,775
Deputy Secretary	9907	94,493

SECTION 13. AND BE IT FURTHER ENACTED, That pursuant to Section 2–103.4(h) of the Transportation Article of the Annotated Code of Maryland, the salary schedule for the Department of Transportation executive pay plan during fiscal year 2014 shall be as set forth below. Adjustments to the salary schedule may be made during the fiscal year in accordance with the provisions of Section 2–103.4(h) of the Transportation Article. Notwithstanding the inclusion of salaries for positions that are determined by agencies with independent salary setting authority in the salary schedule set forth below, such salaries may be adjusted during the fiscal year in accordance with such salary setting authority. The salaries presented may be off by $1 due to rounding.

Fiscal 2014
Executive Salary Schedule

	Scale	Minimum	Maximum
ES 4	9904	76,101	101,468
ES 5	9905	81,764	109,079
ES 6	9906	87,885	117,300
ES 7	9907	94,493	126,183
ES 8	9908	101,630	135,775
ES 9	9909	109,340	146,136
ES 10	9910	117,664	157,320
ES 11	9911	126,659	169,404
ES 91	9991	145,656	244,494

DEPARTMENT OF TRANSPORTATION

The Secretary's Office

Secretary	9911	169,404
Deputy Secretary	9909	143,136

Motor Vehicle Administration

Motor Vehicle Administrator	9909	139,383

SECTION 14. AND BE IT FURTHER ENACTED, That if a person is placed by the Departments of Health and Mental Hygiene, Human Resources, or Juvenile Services or the State Department of Education in a facility or program that becomes eligible for Medical Assistance Program (Medicaid) participation, and the Medical Assistance Program makes payment for such services, general funds equal to the general funds paid by the Medical Assistance Program to such a facility or program may be transferred from the previously mentioned departments to the Medical Assistance Program. Further, should the facility or program become eligible subsequent to payment to the facility or program by any of the previously mentioned departments, and the Medical Assistance Program makes subsequent additional payments to the facility or program for the same services, any recoveries of overpayment, whether paid in this or prior fiscal years, shall become available to the Medical Assistance Program for provider reimbursement purposes.

SECTION 15. AND BE IT FURTHER ENACTED, That all funds appropriated to the various State departments and agencies in Comptroller Object 0831 (Office of Administrative Hearings) to conduct administrative hearings by the Office of Administrative Hearings are to be transferred to the Office of Administrative Hearings (D99A11.01) on July 1, 2013, and may not be expended for any other purpose.

SECTION 16. AND BE IT FURTHER ENACTED, That funds budgeted in the State Department of Education and the Departments of Health and Mental Hygiene, Human Resources, and Juvenile Services may be transferred by budget amendment to the Children's Cabinet Interagency Fund (R00A04.01). Funds transferred would represent costs associated with local partnership agreements approved by the Children's Cabinet Interagency Fund.

SECTION 17. AND BE IT FURTHER ENACTED, That funds appropriated to the various State agency programs and subprograms in Comptroller Objects 0152 (Health Insurance), 0154 (Retirees Health Insurance Premiums), 0175 (Workers' Compensation), 0305 (DBM Paid Telecommunications), 0322 (Capital Lease Telecommunications), 0874 (Office of Attorney General Administrative Fee), 0876 (DoIT IT Services Allocation), 0894 (State Personnel System Allocation), and 1303 (rent paid to DGS) are to be utilized for their intended purposes only. The expenditure or transfer of these funds for other purposes requires the prior approval of the Secretary of Budget and Management. Notwithstanding any other provision of law, the Secretary of Budget and Management may transfer amounts appropriated in Comptroller Objects 0152, 0154, 0305, and 0322 between State departments and agencies by approved budget amendment in fiscal year 2013 and fiscal year 2014. All funds budgeted in or transferred to Comptroller Objects 0152 and 0154, and any funds restricted in this budget for use in the employee and retiree health insurance program that are unspent shall be credited to the fund as established in accordance with Section 2–516 of the State Personnel and Pensions Article of the Annotated Code of Maryland.

Further provided that each agency that receives funding in this budget in any of the restricted Comptroller Objects listed within this section shall establish within the State's accounting system a structure of accounts to separately identify for each restricted Comptroller Object, by fund source, the legislative appropriation, monthly transactions, and final expenditures. It is the intent of the General Assembly that an accounting detail be established so that the Office of Legislative Audits may review the disposition of funds appropriated for each restricted Comptroller Object as part of each closeout audit to ensure that funds are used only for the purposes for which they are restricted and that unspent funds are reverted or canceled.

SECTION 18. AND BE IT FURTHER ENACTED, That all funds appropriated to the various State departments and agencies in Comptroller Object 0875 (Retirement Administrative Fee) to support the Maryland State Retirement agency operations are to be transferred to the Maryland State Retirement agency (G20J01.01) on July 1, 2013, and may not be expended for any other purpose.

SECTION 19. AND BE IT FURTHER ENACTED, That for fiscal year 2014 funding for health insurance shall be reduced by ~~$7,417,352 in Executive Branch agencies~~ $7,912,396 to reflect health insurance savings from favorable cost trends. Funding for this purpose shall be reduced in Comptroller Object 0154 – Retirees Health Insurance, ~~within Executive Branch agencies~~ in fiscal year 2014 by the following amounts in accordance with a schedule determined by the Governor:

	Agency	General Funds
B75	General Assembly	94,294
C00	Judiciary	400,750
C80	Office of the Public Defender	114,751
C81	Office of the Attorney General	18,202
C82	State Prosecutor	1,060
C85	Maryland Tax Court	868
D05	Board of Public Works (BPW)	1,084
D10	Executive Department – Governor	10,873
D11	Office of Deaf and Hard of Hearing	294
D12	Department of Disabilities	1,984
D15	Boards and Commissions	9,221
D16	Secretary of State	2,969
D17	Historic St. Mary's City Commission	3,167
D18	Governor's Office for Children	2,383
D25	BPW Interagency Committee for School Construction	2,499
D26	Department of Aging	2,413
D27	Maryland Commission on Civil Rights	3,874
D38	State Board of Elections	3,944
D39	Maryland State Board of Contract Appeals	782
D40	Department of Planning	16,179
D50	Military Department	16,437
D55	Department of Veterans Affairs	5,663
D60	Maryland State Archives	2,934
E00	Comptroller of Maryland	102,261
E20	State Treasurer's Office	3,707
E50	Department of Assessments and Taxation	37,593
E75	State Lottery and Gaming Control Agency	12,826
E80	Property Tax Assessment Appeals Board	1,271
F10	Department of Budget and Management	17,221
F50	Department of Information Technology	10,826
H00	Department of General Services	49,970
K00	Department of Natural Resources	62,422
L00	Department of Agriculture	34,136
M00	Department of Health and Mental Hygiene	655,764
N00	Department of Human Resources	315,000
P00	Department of Labor, Licensing and Regulation	32,584
Q00	Department of Public Safety and Correctional Services	1,437,852
R00	State Department of Education	52,067
R15	Maryland Public Broadcasting Commission	9,791
R62	Maryland Higher Education Commission	4,768
R75	Support for State Operated Institutions of Higher Education	1,319,457
R99	Maryland School for the Deaf	34,072
T00	Department of Business and Economic Development	21,140
U00	Department of the Environment	31,026

V00	Department of Juvenile Services	261,389
W00	Department of State Police	271,276
	Total General Funds	~~5,000,000~~ 5,495,044

	Agency	Special Funds
C81	Office of the Attorney General	6,590
C90	Public Service Commission	17,447
C91	Office of the People's Counsel	3,449
C94	Subsequent Injury Fund	2,379
C96	Uninsured Employers' Fund	1,392
C98	Workers' Compensation Commission	16,321
D12	Department of Disabilities	177
D13	Maryland Energy Administration	2,659
D15	Boards and Commissions	247
D17	Historic St. Mary's City Commission	223
D26	Department of Aging	356
D38	State Board of Elections	400
D40	Department of Planning	1,512
D53	Maryland Institute for Emergency Medical Services Systems	12,934
D55	Department of Veterans Affairs	299
D60	Maryland State Archives	3,943
D79	Maryland Health Insurance Plan	1,040
D80	Maryland Insurance Administration	33,641
D90	Canal Place Preservation and Development Authority	255
D99	Office of Administrative Hearings	429
E00	Comptroller of Maryland	19,658
E20	State Treasurer's Office	429
E50	Department of Assessments and Taxation	39,684
E75	State Lottery and Gaming Control Agency	20,206
F10	Department of Budget and Management	14,885
F50	Department of Information Technology	857
G20	State Retirement Agency	3,551
G50	Teachers and State Employees Supplemental Retirement Plans	1,541
H00	Department of General Services	1,012
J00	Department of Transportation	836,698
K00	Department of Natural Resources	76,718
L00	Department of Agriculture	14,137
M00	Department of Health and Mental Hygiene	49,198
N00	Department of Human Resources	11,825
P00	Department of Labor, Licensing and Regulation	35,018
Q00	Department of Public Safety and Correctional Services	46,709
R00	State Department of Education	2,537

R15	Maryland Public Broadcasting Commission	10,216
R62	Maryland Higher Education Commission	444
S00	Department of Housing and Community Development	24,885
T00	Department of Business and Economic Development	7,438
U00	Department of the Environment	57,909
W00	Department of State Police	65,964
	Total Special Funds	1,447,212

	Agency	Federal Funds
C81	Office of the Attorney General	3,265
C90	Public Service Commission	382
D12	Department of Disabilities	1,098
D13	Maryland Energy Administration	711
D15	Boards and Commissions	2,344
D26	Department of Aging	2,489
D27	Maryland Commission on Civil Rights	935
D40	Department of Planning	1,343
D50	Military Department	19,787
D55	Department of Veterans Affairs	1,279
D78	Maryland Health Benefit Exchange	7,352
D79	Maryland Health Insurance Plan	434
D80	Maryland Insurance Administration	512
H00	Department of General Services	918
J00	Department of Transportation	20
K00	Department of Natural Resources	12,375
L00	Department of Agriculture	1,810
M00	Department of Health and Mental Hygiene	111,228
N00	Department of Human Resources	468,839
P00	Department of Labor, Licensing and Regulation	123,138
Q00	Department of Public Safety and Correctional Services	30,328
R00	State Department of Education	127,300
R15	Maryland Public Broadcasting Commission	1,419
R62	Maryland Higher Education Commission	342
R99	Maryland School for the Deaf	410
S00	Department of Housing and Community Development	12,692
T00	Department of Business and Economic Development	974
U00	Department of the Environment	34,396
V00	Department of Juvenile Services	2,020
	Total Federal Funds	970,140

Agency	Current Unrestricted Funds

R13	Morgan State University	86,796
R30	University System of Maryland	1,232,661
	Total Current Unrestricted Funds	1,319,457
	Less: General Funds in Higher Education	1,319,457
	Net Current Unrestricted Funds	– 0 –

SECTION 20. AND BE IT FURTHER ENACTED, That all across–the–board reductions applied to the Executive Branch, unless otherwise stated, shall apply to current unrestricted and general funds in the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College.

SECTION 21. AND BE IT FURTHER ENACTED, That the General Accounting Division of the Comptroller of Maryland shall establish a subsidiary ledger control account to debit all State agency funds budgeted under subobject 0175 (workers' compensation coverage) and to credit all payments disbursed to the Chesapeake Employers' Insurance Company (CEIC) via transmittal. The control account shall also record all funds withdrawn from CEIC and returned to the State and subsequently transferred to the General Fund. CEIC shall submit monthly reports to the Department of Legislative Services concerning the status of the account.

SECTION 22. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a summary statement of federal revenues by major federal program sources supporting the federal appropriations made therein along with the major assumptions underpinning the federal fund estimates. The Department of Budget and Management (DBM) shall exercise due diligence in reporting this data and ensure that they are updated as appropriate to reflect ongoing congressional action on the federal budget. In addition, DBM shall provide to the Department of Legislative Services (DLS) data for the actual, current, and budget years listing the components of each federal fund appropriation by Catalog of Federal Domestic Assistance number or equivalent detail for programs not in the catalog. Data shall be provided in an electronic format subject to the concurrence of DLS.

SECTION 23. AND BE IT FURTHER ENACTED, That in the expenditure of federal funds appropriated in this budget or subsequent to the enactment of this budget by the budget amendment process:

(1) State agencies shall administer these federal funds in a manner that recognizes that federal funds are taxpayer dollars that require prudent fiscal management, careful application to the purposes for which they are directed, and strict attention to budgetary and accounting procedures established for the administration of all public funds.

(2) For fiscal 2014, except with respect to capital appropriations, to the extent consistent with federal requirements:

(a) when expenditures or encumbrances may be charged to either State or Federal Fund sources, federal funds shall be charged before State funds are charged except that this policy does not apply to the Department of Human Resources with respect to federal funds to be carried forward into future years for child welfare or welfare reform activities;

(b) when additional federal funds are sought or otherwise become available in the course of the fiscal year, agencies shall consider, in consultation with the Department of Budget and Management, whether opportunities exist to use these federal revenues to support existing operations rather than to expand programs or establish new ones; and

(c) the Department of Budget and Management shall take appropriate actions to effectively establish the provisions of this section as policies of the State with respect to the administration of federal funds by executive agencies.

SECTION 24. AND BE IT FURTHER ENACTED, That the Department of Budget and Management (DBM) shall provide an annual report on indirect costs to the General Assembly in January 2014 as an appendix in the Governor's fiscal 2015 budget books. The report shall detail by agency for the actual fiscal 2013 budget the amount of statewide indirect cost recovery received, the amount of statewide indirect cost recovery transferred to the General Fund, and the amount of indirect cost recovery retained for use by each agency. In addition, it shall list the most recently available federally approved statewide and internal agency cost–recovery rates. As part of the normal fiscal/compliance audit performed for each agency once every 3 years, the Office of Legislative Audits shall assess available information on the timeliness, completeness, and deposit history of indirect cost recoveries by State agencies. Further provided that for fiscal 2014, excluding the Maryland Department of Transportation, the amount of revenue received by each agency from any federal source for statewide cost recovery may only be transferred to the General Fund and may not be retained in any clearing account or by any other means, nor may DBM or any other agency or entity approve exemptions to permit any agency to retain any portion of federal statewide cost recoveries.

SECTION 25. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a forecast of the impact of the Executive budget proposal on the long–term fiscal condition of the General Fund, Transportation Trust Fund, and higher education Current Unrestricted Fund accounts. This forecast shall estimate aggregate revenues, expenditures, and fund balances in each account for the fiscal year last completed, the current year, the budget year, and 4 years thereafter. Expenditures shall be reported at such agency, program or unit levels, or categories as may be determined appropriate after consultation with the Department of Legislative Services. A statement of major assumptions underlying the forecast shall also be

provided, including but not limited to general salary increases, inflation, and growth of caseloads in significant program areas.

SECTION 26. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that all State departments, agencies, bureaus, commissions, boards, and other organizational units included in the State budget, including the Judiciary, shall prepare and submit items for the fiscal 2015 budget detailed by Comptroller subobject classification in accordance with instructions promulgated by the Comptroller of the Treasury. The presentation of budget data in the State budget books shall include object, fund, and personnel data in the manner provided for in fiscal 2014 except as indicated elsewhere in this Act; however, this may not preclude the placement of additional information into the budget books. For actual fiscal 2013 spending, the fiscal 2014 working appropriation, and the fiscal 2015 allowance, the budget detail shall be available from the Department of Budget and Management (DBM) automated data system at the subobject level by subobject codes and classifications for all agencies. To the extent possible, except for public higher education institutions, subobject expenditures shall be designated by fund for actual fiscal 2013 spending, the fiscal 2014 working appropriation, and the fiscal 2015 allowance. The agencies shall exercise due diligence in reporting this data and ensuring correspondence between reported position and expenditure data for the actual, current, and budget fiscal years. This data shall be made available on request and in a format subject to the concurrence of the Department of Legislative Services (DLS). Further, the expenditure of appropriations shall be reported and accounted for by the subobject classification in accordance with the instructions promulgated by the Comptroller of Maryland.

Further provided that due diligence shall be taken to accurately report full–time equivalent counts of contractual positions in the budget books. For the purpose of this count, contractual positions are defined as those individuals having an employee–employer relationship with the State. This count shall include those individuals in higher education institutions who meet this definition but are paid with additional assistance funds.

Further provided that DBM shall provide to DLS with the allowance for each department, unit, agency, office, and institution, a one–page organizational chart in Microsoft Word or Adobe PDF format that depicts the allocation of personnel across operational and administrative activities of the entity.

SECTION 27. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that on or before August 1, 2013, each State agency and each public institution of higher education shall report to the Department of Budget and Management (DBM) any agreements in place for any part of fiscal 2013 between State agencies and any public institution of higher education involving potential expenditures in excess of $100,000 over the term of the agreement. Further provided that DBM shall provide direction and guidance to all State agencies and public institutions of higher education as to the procedures and specific elements of data to be reported with respect to these interagency agreements, to include at a minimum:

(1) a common code for each interagency agreement that specifically identifies each agreement and the fiscal year in which the agreement began;

(2) the starting date for each agreement;

(3) the ending date for each agreement;

(4) a total potential expenditure, or not–to–exceed dollar amount, for the services to be rendered over the term of the agreement by any public institution of higher education to any State agency;

(5) a description of the nature of the goods and services to be provided;

(6) the total number of personnel, both full time and part time, associated with the agreement;

(7) contact information for the agency and the public institution of higher education for the person(s) having direct oversight or knowledge of the agreement; and

(8) the amount and rate of any indirect cost recovery or overhead charges assessed by the institution of higher education related to the agreement.

Further provided that DBM shall submit a consolidated report to the budget committees and the Department of Legislative Services by December 1, 2013, that contains information on all agreements between State agencies and any public institution of higher education involving potential expenditures in excess of $100,000 that were in effect at any time during fiscal 2013.

SECTION 28. AND BE IT FURTHER ENACTED, That any budget amendment to increase the total amount of special, federal, or higher education (current restricted and current unrestricted) fund appropriations, or to make reimbursable fund transfers from the Governor's Office of Crime Control and Prevention or the Maryland Emergency Management Agency, made in Section 1 of this Act shall be subject to the following restrictions:

(1) This section may not apply to budget amendments for the sole purpose of:

(a) appropriating funds available as a result of the award of federal disaster assistance; and

(b) transferring funds from the State Reserve Fund – Economic Development Opportunities Fund for projects approved by the Legislative Policy Committee.

(2) Budget amendments increasing total appropriations in any fund account by $100,000 or more may not be approved by the Governor until:

(a) that amendment has been submitted to the Department of Legislative Services (DLS); and

(b) the budget committees or the Legislative Policy Committee have considered the amendment or 45 days have elapsed from the date of submission of the amendment. Each amendment submitted to DLS shall include a statement of the amount, sources of funds and purposes of the amendment, and a summary of impact on budgeted or contractual position and payroll requirements.

(3) Unless permitted by the budget bill or the accompanying supporting documentation or by any other authorizing legislation, and notwithstanding the provisions of Section 3–216 of the Transportation Article, a budget amendment may not:

(a) restore funds for items or purposes specifically denied by the General Assembly;

(b) fund a capital project not authorized by the General Assembly provided, however, that subject to provisions of the Transportation Article, projects of the Maryland Department of Transportation shall be restricted as provided in Section 1 of this Act;

(c) increase the scope of a capital project by an amount 7.5% or more over the approved estimate or 5.0% or more over the net square footage of the approved project until the amendment has been submitted to DLS and the budget committees have considered and offered comment to the Governor or 45 days have elapsed from the date of submission of the amendment. This provision does not apply to the Maryland Department of Transportation; and

(d) provide for the additional appropriation of special, federal, or higher education funds of more than $100,000 for the reclassification of a position or positions.

(4) A budget may not be amended to increase a Federal Fund appropriation by $100,000 or more unless documentation evidencing the increase in funds is provided with the amendment and fund availability is certified by the Secretary of Budget and Management.

(5) No expenditure or contractual obligation of funds authorized by a proposed budget amendment may be made prior to approval of that amendment by the Governor.

(6) Notwithstanding the provisions of this section, any federal, special, or higher education fund appropriation may be increased by budget amendment upon a declaration by the Board of Public Works that the amendment is essential to

maintaining public safety, health, or welfare, including protecting the environment or the economic welfare of the State.

(7) Budget amendments for new major Information Technology (IT) projects, as defined by Sections 3A–301 and 3A–302 of the State Finance and Procurement Article, must include an Information Technology Project Request, as defined in Section 3A–308 of the State Finance and Procurement Article.

(8) Further provided that the fiscal 2014 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2014 and the supporting electronic detail shall not include appropriations for budget amendments that have not been signed by the Governor, exclusive of the Maryland Department of Transportation pay–as–you–go capital program.

(9) Further provided that it is the policy of the State to recognize and appropriate additional special, higher education, and federal revenues in the budget bill as approved by the General Assembly. Further provided that for the fiscal 2015 allowance, the Department of Budget and Management shall continue policies and procedures to minimize reliance on budget amendments for appropriations that could be included in a deficiency appropriation.

SECTION 29. AND BE IT FURTHER ENACTED, That:

(1) The Secretary of Health and Mental Hygiene shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2013 in program M00Q01.03 Medical Care Provider Reimbursements have been disbursed for services provided in that fiscal year and shall prepare and submit the periodic reports required under this section for that program.

(2) The State Superintendent of Schools shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2013 to program R00A02.07 Students With Disabilities for Non–Public Placements have been disbursed for services provided in that fiscal year and to prepare periodic reports as required under this section for that program.

(3) The Secretary of Human Resources shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2013 in program N00G00.01 Foster Care Maintenance Payments have been disbursed for services provided in that fiscal year and to prepare the periodic reports required under this section for that program.

(4) For the programs specified, reports shall indicate total appropriations for fiscal 2013 and total disbursements for services provided during that fiscal year up through the last day of the second month preceding the date on which the report is to be submitted and a comparison to data applicable to those periods in the preceding fiscal year.

(5) Reports shall be submitted to the budget committees, the Department of Legislative Services, the Department of Budget and Management, and the Comptroller on November 1, 2013; March 1, 2014; and June 1, 2014.

(6) It is the intent of the General Assembly that general funds appropriated for fiscal 2013 to the programs specified that have not been disbursed within a reasonable period, not to exceed 12 months from the end of the fiscal year, shall revert.

SECTION 30. AND BE IT FURTHER ENACTED, That no funds in this budget may be expended to pay the salary of a Secretary or an Acting Secretary of any department whose nomination as Secretary has been rejected by the Senate or an Acting Secretary who was serving in that capacity prior to the 2013 session whose nomination for the Secretary position was not put forward and approved by the Senate during the 2013 session unless the Acting Secretary is appointed under Article II, Section 11 of the Maryland Constitution prior to July 1, 2013.

SECTION 31. AND BE IT FURTHER ENACTED, That the Board of Public Works (BPW), in exercising its authority to create additional positions pursuant to Section 7–236 of the State Finance and Procurement Article, may authorize during the fiscal year no more than 100 positions in excess of the total number of authorized State positions on July 1, 2013, as determined by the Secretary of Budget and Management. Provided, however, that if the imposition of this ceiling causes undue hardship in any department, agency, board, or commission, additional positions may be created for that affected unit to the extent that positions authorized by the General Assembly for the fiscal year are abolished in that unit or in other units of State government. It is further provided that the limit of 100 does not apply to any position that may be created in conformance with specific manpower statutes that may be enacted by the State or federal government nor to any positions created to implement block grant actions or to implement a program reflecting fundamental changes in federal/State relationships. Notwithstanding anything contained in this section, BPW may authorize additional positions to meet public emergencies resulting from an act of God and violent acts of men, that are necessary to protect the health and safety of the people of Maryland.

BPW may authorize the creation of additional positions within the Executive Branch provided that 1.25 full–time equivalent contractual positions are abolished for each regular position authorized and that there be no increase in agency funds in the current budget and the next two subsequent budgets as the result of this action. It is the intent of the General Assembly that priority is given to converting individuals that have been in contractual positions for at least two years. Any position created by this method may not be counted within the limitation of 100 under this section.

The numerical limitation on the creation of positions by BPW established in this section may not apply to positions entirely supported by funds from federal or other non–State sources so long as both the appointing authority for the position and the Secretary of Budget and Management certify for each position created under this exception that:

(1) funds are available from non–State sources for each position established under this exception;

(2) the position's classification is not one for which another position was abolished through the Voluntary Separation Program; and

(3) any positions created will be abolished in the event that non–State funds are no longer available.

The Secretary of Budget and Management shall certify and report to the General Assembly by June 30, 2014, the status of positions created with non–State funding sources during fiscal 2010, 2011, 2012, 2013, and 2014 under this provision as remaining, authorized, or abolished due to the discontinuation of funds.

SECTION 32. AND BE IT FURTHER ENACTED, That immediately following the close of fiscal 2013, the Secretary of Budget and Management shall determine the total number of full–time equivalent (FTE) positions that are authorized as of the last day of fiscal 2013 and on the first day of fiscal 2014. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2013 and 2014 including nonbudgetary programs, the Maryland Transportation Authority, the University System of Maryland self–supported activities, and the Maryland Correctional Enterprises.

The Department of Budget and Management shall also prepare during fiscal 2014 a report for the budget committees upon creation of regular FTE positions through Board of Public Works action and upon transfer or abolition of positions. This report shall also be provided as an appendix in the fiscal 2015 Governor's budget books. It shall note, at the program level:

(1) where regular FTE positions have been abolished;

(2) where regular FTE positions have been created;

(3) from where and to where regular FTE positions have been transferred; and

(4) where any other adjustments have been made.

Provision of contractual FTE position information in the same fashion as reported in the appendices of the fiscal 2015 Governor's budget books shall also be provided.

SECTION 33. AND BE IT FURTHER ENACTED, That the Department of Budget and Management and the Maryland Department of Transportation are required to submit to the Department of Legislative Services (DLS) Office of Policy Analysis:

(1) a report in Excel format listing the grade, salary, title, and incumbent of each position in the Executive Pay Plan (EPP) as of July 1, 2013; October 1, 2013; January 1, 2014; and April 1, 2014; and

(2) detail on any lump–sum increases given to employees paid on the EPP subsequent to the previous quarterly report.

Flat–rate employees on the EPP shall be included in these reports. Each position in the report shall be assigned a unique identifier that describes the program to which the position is assigned for budget purposes and corresponds to the manner of identification of positions within the budget data provided annually to the DLS Office of Policy Analysis.

SECTION 34. AND BE IT FURTHER ENACTED, That no position identification number assigned to a position abolished in this budget may be reassigned to a job or function different from that to which it was assigned when the budget was submitted to the General Assembly. Incumbents in positions abolished may continue State employment in another position.

SECTION 35. AND BE IT FURTHER ENACTED, That the Secretary of Budget and Management shall include as an appendix in the fiscal 2015 Governor's budget books an accounting of the fiscal 2013 actual, fiscal 2014 working appropriation, fiscal 2015, and fiscal 2016 estimated revenues and expenditures associated with the employees' and retirees' health plan. This accounting shall include:

(1) any health plan receipts received from State agencies, employees, and retirees, as well as prescription rebates or recoveries, or audit recoveries, and other miscellaneous recoveries;

(2) any premium, capitated, or claims expenditures paid on behalf of State employees and retirees for any health, mental health, dental, or prescription plan, as well as any administrative costs not covered by these plans; and

(3) any balance remaining and held in reserve for future provider payments.

SECTION 36. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management, the Department of Natural Resources, and the Maryland Department of the Environment provide two reports on Chesapeake Bay restoration spending. The reports shall be drafted subject to the concurrence of the Department of Legislative Services (DLS) in terms of both electronic format to be used and data to be included. The scope of the reports is as follows:

(1) Chesapeake Bay restoration operating and capital expenditures by agency, fund type, and particular fund source based on programs that have over 50% of their activities directly related to Chesapeake Bay restoration for the fiscal 2013 actual, fiscal 2014 working appropriation, and fiscal 2015 allowance, which is to be

included as an appendix in the fiscal 2015 budget volumes and submitted electronically in disaggregated form to DLS; and

(2) 2–year milestones funding by agency, best management practice, fund type, and particular fund source along with associated nutrient and sediment reductions for fiscal 2012, 2013, 2014, and 2015, which is to be submitted electronically in disaggregated form to DLS.

SECTION 37. AND BE IT FURTHER ENACTED, That the Department of Budget and Management shall provide an annual report on the Strategic Energy Investment Fund (SEIF) to the General Assembly in conjunction with submission of the fiscal 2015 budget and annually thereafter as an appendix to the Governor's budget books. This report shall include information for the actual fiscal 2013 budget, fiscal 2014 working appropriation, and fiscal 2015 allowance. The report shall detail revenue assumptions used to calculate the available SEIF for each fiscal year including:

(1) the number of auctions;

(2) the number of allowances sold;

(3) the allowance price for both current and future (if offered) control period allowances sold in each auction;

(4) alternative compliance payments;

(5) contributions received as a result of the Exelon Corporation/Constellation Energy Group merger; and

(6) fund balance used to support the appropriation.

The report shall also include detail on the amount of the SEIF available to each agency that receives funding through each required allocation, separately identifying funds available as a result of the Exelon Corporation/Constellation Energy Group merger and Alternative Compliance Payments:

(1) energy assistance;

(2) residential rate relief;

(3) energy efficiency and conservation programs, low– and moderate–income sector;

(4) energy efficiency and conservation programs, all other sectors;

(5) renewable and clean energy programs and initiatives, education, and climate change programs;

(6) administrative expenditures;

(7) dues owed to the Regional Greenhouse Gas Initiative, Inc.; and

(8) transfers made to other funds.

SECTION 38. AND BE IT FURTHER ENACTED, That $100,000 of the General Fund appropriation for the Department of Human Resources (DHR) and $100,000 of the General Fund appropriation for the Alcohol and Drug Abuse Administration (ADAA) may not be expended unless, by October 1, 2013, DHR and ADAA jointly submit a report to the budget committees detailing the changes that would need to be made to data collection methodologies to allow outcomes of substance abuse treatment to be reported for all Temporary Cash Assistance clients receiving treatment, regardless of how the client was referred for substance abuse treatment. The report shall include cost estimates and a timeline for making the necessary changes. The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

SECTION 39. AND BE IT FURTHER ENACTED, That $1,000,000 of the General Fund appropriation within the Department of State Police (DSP) may not be expended until DSP submits the Crime in Maryland, 2012 Uniform Crime Report (UCR) to the budget committees. The budget committees shall have 45 days to review and comment following the receipt of the report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Further provided that, if DSP encounters difficulty obtaining the necessary crime data on a timely basis from local jurisdictions who provide the data for inclusion in the UCR, DSP shall notify the Governor's Office of Crime Control and Prevention (GOCCP). GOCCP shall withhold a portion, totaling at least 15%, but no more than 50%, of that jurisdiction's State Aid for Police Protection (SAPP) grant for fiscal 2014 upon receipt of notification from DSP. GOCCP shall withhold SAPP funds until such a time that the jurisdiction submits its crime data to DSP. DSP and GOCCP shall submit a report to the budget committees indicating any jurisdiction from which crime data was not received on a timely basis and the amount of SAPP funding withheld from each jurisdiction.

SECTION 40. AND BE IT FURTHER ENACTED, That for fiscal 2014, no funds may be transferred from the Revenue Stabilization Account of the State Reserve Fund to the General Fund.

SECTION 41. AND BE IT FURTHER ENACTED, That $85,811 in reimbursable funds and one regular position appropriated in the Department of

Health and Mental Hygiene, Office of the Secretary Operations (Program M00A01.02) shall be deleted. The Governor shall develop a schedule for allocating this reimbursable fund reduction across the department as appropriate. The reduction under this section shall equal at least the amounts indicated for the budgetary types listed:

Fund	Amount
General	$42,906
Federal	$42,905

SECTION 42. AND BE IT FURTHER ENACTED, That, the following amounts of appropriations for the pension systems for the employees (Comptroller Object 0161), teachers (Comptroller Object 0163), State police (Comptroller Object 0165), and law enforcement officers (Comptroller Object 0169) pension systems may not be expended for that purpose:

Programs	***Fund***	***Amount***
Aid for Local Employee Fringe Benefits	***General***	***$63,373,801***
Aid to Community Colleges – Fringe Benefits	***General***	***$2,633,699***
General Assembly	***General***	***$239,033***
Judiciary	***General***	***$763,324***
Executive Branch	***General***	***$20,070,143***

These funds shall be held in reserve as provided in this section and may be transferred by budget amendment to the Dedicated Purpose Account (budget code Y01A02.01) to provide funds to support critical programs impacted by federal sequestration.

Further provided that should the Governor determine that to the extent funds restricted in this section are unnecessary for this restricted purpose, the Governor shall transfer any excess funds from the Dedicated Purpose Account to the Accumulation Funds of the State Retirement and Pension System on January 1, 2014.

Further provided that the Department of Budget and Management, in conjunction with the State Retirement Agency, shall determine whether a reinvestment contribution in excess of the amount funded in fiscal year 2013 is appropriate in light of the State's simultaneous goals of reducing unfunded liabilities and budget sustainability. This determination shall be reported to the Governor, the budget committees of the General Assembly, and the Joint Committee on Pensions not later than December 1, 2013.

SECTION ~~20~~ ~~42~~ *43*. AND BE IT FURTHER ENACTED, That numerals of this bill showing subtotals and totals are informative only and are not actual appropriations. The actual appropriations are in the numerals for individual items of

appropriation. It is the legislative intent that in subsequent printings of the bill the numerals in subtotals and totals shall be administratively corrected or adjusted for continuing purposes of information, in order to be in arithmetic accord with the numerals in the individual items.

SECTION ~~21~~ ~~43~~ *44*. AND BE IT FURTHER ENACTED, That pursuant to the provisions of Article III, Section 52(5a) of the Maryland Constitution, the following total of all proposed appropriations and the total of all estimated revenues available to pay the appropriations for the 2014 fiscal year is submitted:

BUDGET SUMMARY ($)

Fiscal Year 2013

General Fund Balance, June 30, 2012 available for 2013 Operations		551,152,508
2013 Estimated Revenues (all funds)		35,827,519,611
Reimbursement from reserve for Tax Credits		11,250,892
2013 Appropriations as amended (all funds)	35,722,878,996	
2013 Deficiencies (all funds)	102,976,195	
Estimated Agency General Fund Reversions	(49,645,972)	
Subtotal Appropriations (all funds)		35,776,209,219
2013 General Funds Reserved for 2014 Operations		613,713,792

Fiscal Year 2014

2013 General Funds Reserved for 2014 Operations		613,713,792
2014 Estimated Revenues (all funds)		36,745,009,751
Reimbursement from reserve for Tax Credits		17,101,298
Transfer from the Revenue Stabilization Account		166,000,000
Transfer from other funds contingent upon legislation		1,000,000
2014 Appropriations (all funds)	37,444,957,895	
General Fund Reductions contingent upon legislation	(103,175,671)	
Health Insurance Reduction – Budget Bill Reduction	(5,000,000)	
Estimated Agency General Fund Reversions	(30,000,000)	
Subtotal Appropriations (all funds)		37,306,782,224
2014 General Fund Unappropriated Balance		236,042,617

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2014

April 1, 2013

Mr. President, Mr. Speaker,
Ladies and Gentlemen of the General Assembly:

Pursuant to the authority conferred on me by Article III, Section 52, Subsection (5) of the Constitution of Maryland, and in accordance with the consent of the (State Senate) – (House of Delegates), duly granted, I hereby submit a supplement to House Bill 100 and/or Senate Bill 125 in the form of an amendment to the original budget for the Fiscal Year ending June 30, 2014.

Supplemental Budget No. 1 will affect previously estimated funds available for budget operations as shown on the following summary statement.

SUPPLEMENTAL BUDGET SUMMARY

Sources:		
Estimated general fund unappropriated balance July 1, 2014 (per Original Budget)		236,042,617
Adjustment to revenue:		
General Funds:		
Fiscal Year 2013 Revenues		
Board of Revenue Estimates – March 7, 2013	(76,792,000)	
Comptroller – Abandoned Property	5,000,000	
DBM Central Collections Unit	1,956,753	
State Insurance Trust Fund	1,000,000	
MSA – Rent Payment	863,000	
Toyota Settlement	644,000	
Fiscal Year 2014 Revenues		
Board of Revenue Estimates – March 7, 2013	(38,513,000)	
Firearm Licensing Revenue	2,221,300	
DBM Central Collections Unit	866,295	
State Insurance Trust Fund	(1,000,000)	(103,753,652)
Special Funds:		
SWF326 Public Utility Customer Investment Fund	25,815,535	
SWF316 Strategic Energy Investment Fund	1,000,000	
SWF326 Public Utility Customer Investment Fund	5,364,554	
SWF316 Strategic Energy Investment Fund	1,500,000	
SWF323 Fair Campaign Finance Fund	50,000	
SWF323 Fair Campaign Finance Fund	–50,000	

E00354 Unclaimed Property	1,500,000	
G20302 Admin Cost Allocation – Participating Governments	14,264,570	
SWF318 Maryland Education Trust Fund	10,000,000	
R00306 Contributions to Retirement – Teachers Administration	–13,622,612	
SWF305 Cigarette Restitution Fund	500,000	
R62312 Academic Program Review Fees	28,272	
R62311 Community College Retirement Contribution	–665,895	
SWF326 Public Utility Customer Investment Fund	2,650,000	
S00348 Weinberg Grant Funds	1,000,000	
SWF320 Speed Monitoring Systems Fund	1,906,898	
X00301 Annuity Bond Fund	17,573,200	68,814,522
Federal Funds:		
12.401 National Guard Military Operations and Maintenance Projects	525,000	
97.036 Public Assistance Grants	386,143	
97.036 Public Assistance Grants	910,796	
93.778 Medical Assistance Program	13,579,412	
93.778 Medical Assistance Program	83,593,797	
93.658 Foster Care–Title IV–E	432,177	99,427,325
Current Unrestricted Funds:		
Morgan State University	615,000	
Morgan State University	738,000	
University of Maryland, College Park	100,000	
Bowie State University	300,000	
Bowie State University	360,000	
Towson University	300,000	
University of Maryland, Eastern Shore	270,000	
University of Maryland, Eastern Shore	400,000	
University of Maryland, Eastern Shore	324,000	
Coppin State University	315,000	
Coppin State University	378,000	4,100,000
Reimbursable Funds:		
G20901 Admin Cost Allocation – State Agencies	–14,264,570	
V00D01 Department of Juvenile Services	–84,000	(14,348,570)
Adjustment to General Fund Appropriations		
Fiscal Year 2014		
Legislative Reductions	140,000,000	140,000,000
Total Available		430,282,242

Uses:		
General Funds	64,464,900	
Special Funds	68,814,522	
Federal Funds	99,427,325	
Current Unrestricted Funds	4,100,000	
Reimbursable Funds	(14,348,570)	
		222,458,177
Revised estimated general fund unappropriated balance July 1, 2014.		207,824,065

PAYMENTS TO CIVIL DIVISIONS OF THE STATE

1. A15O00.01 Disparity Grants

In addition to the appropriation shown on page 1 of the printed bill (first reading file bill), to provide additional funds for the Disparity Grant program.

Object .12 Grants, Subsidies, and Contributions	6,372,062	
General Fund Appropriation, provided that this appropriation is contingent upon the enactment of legislation modifying the Disparity Grant formula and increasing the local income tax rate required to be eligible to receive a grant.		6,372,062

OFFICE OF THE PUBLIC DEFENDER

2. C80B00.02 District Operations

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to be used for higher than anticipated employee accrued leave payouts.

Personnel Detail:		
Accrued Leave Payouts	437,525	
Object .01 Salaries, Wages and Fringe Benefits	437,525	
General Fund Appropriation		437,525

PUBLIC SERVICE COMMISSION

3. C90G00.01 General Administration and Hearings

In addition to the appropriation shown on page 7 of the printed bill (first reading file bill), to provide for funding administration and grants to non–State agency entities from the Public Utility Customer Investment Fund.

Object .08 Contractual Services	1,053,872	
Object .12 Grants, Subsidies, and Contributions	24,761,663	
	25,815,535	
Special Fund Appropriation		25,815,535

4. C90G00.01 General Administration and Hearings

In addition to the appropriation shown on page 7 of the printed bill (first reading file bill), to provide funds for consultants to evaluate offshore wind project applications.

Object .08 Contractual Services	1,000,000	
Special Fund Appropriation, provided that this appropriation is contingent upon the enactment of Senate Bill 275 or House Bill 226 pertaining to the inclusion of offshore wind energy in the State's renewable energy portfolio.		1,000,000

BOARD OF PUBLIC WORKS

5. D05E01.10 Miscellaneous Grants to Private Non–Profit Groups

In addition to the appropriation shown on page 10 of the printed bill (first reading file bill), to provide funds for the Historic Annapolis Foundation grant to support a facilities maintenance manager and a horticulturalist.

Object .12 Grants, Subsidies and Contributions	120,000	
General Fund Appropriation		120,000

6. D06E02.01 Public Works Capital Appropriation

To add an appropriation on page 11 of the printed bill (first reading file bill), to provide funds for the following capital projects. Expenditure of these funds will be made in accordance with State Finance and Procurement Article Sections 3–601 through 3–607 and 7–305.

(1) Eastern Family Resource Center	2,500,000	
(2) Parkville Middle School – Facility Improvements	100,000	
(3) East Baltimore Revitalization Projects	1,350,000	
Object .12 Grants, Subsidies and Contributions	3,950,000	
General Fund Appropriation		3,950,000

7. D13A13.07 Energy Efficiency and Conservation Programs, All Other Sectors

In addition to the appropriation shown on page 12 of the printed bill (first reading file bill), to provide funds for Net Zero Schools and Industrial Sector Energy Efficiency Programs as part of the Public Utility Customer Investment Fund.

Object .12 Grants, Subsidies, and Contributions	5,364,554	
Special Fund Appropriation		5,364,554

8. D13A13.08 Renewable and Clean Energy Programs and Initiatives

In addition to the appropriation shown on page 12 of the printed bill (first reading file bill), to provide funds for the Offshore Wind Business Development Fund.

Object .08 Contractual Services	1,500,000	
Special Fund Appropriation, provided that this appropriation is contingent upon the enactment of Senate Bill 275 or House Bill 226 pertaining to the inclusion of offshore wind energy in the State's renewable energy portfolio.		1,500,000

EXECUTIVE DEPARTMENT – BOARDS, COMMISSIONS AND OFFICES

9. D15A05.05 Governor's Office of Community Initiatives

In addition to the appropriation shown on page 13 of the printed bill (first reading file bill), to provide funds for a grant for the Citizenship Maryland Program to support immigrants in their efforts to become U.S. citizens.

Object .12 Grants, Subsidies, and Contributions	200,000	
General Fund Appropriation		200,000

10. D15A05.16 Governor's Office of Crime Control and Prevention

In addition to the appropriation shown on page 13 of the printed bill (first reading file bill), to provide funds for a grant to the Prince George's County Office of the State's Attorney to pay for services related to the prosecution of violent crimes.

Object .12 Grants, Subsidies, and Contributions	500,000	
General Fund Appropriation		500,000

11. D15A05.20 State Commission on Criminal Sentencing Policy

In addition to the appropriation shown on page 13 of the printed bill (first reading file bill), to provide funds for salary increases for the Executive and Research Directors and an additional contractual position to oversee the completed development of the sentencing/correctional simulation model.

Object .02 Technical and Special Fees	87,197	
General Fund Appropriation		87,197

BOARD OF PUBLIC WORKS – INTERAGENCY COMMITTEE

ON SCHOOL CONSTRUCTION

12. D25E03.01 General Administration

In addition to the appropriation shown on page 15 of the printed bill (first reading file bill), to provide funds for a program manager for the Baltimore City schools capital project.

Personnel Detail:			
Program Manager II	1.00	54,009	
Fringe Benefits		29,409	
Turnover		0	
Object .01 Salaries, Wages and Fringe Benefits		83,418	
Object .02 Technical and Special Fees		450	
Object .03 Communications		675	
Object .04 Travel		2,000	
Object .09 Supplies and Materials		675	
Object .11 Equipment – Additional		2,900	
Object .13 Fixed Charges		300	
		90,418	

General Fund Appropriation, provided that this appropriation is contingent upon the enactment of Senate Bill 743 or House Bill 860 related to Baltimore City Public Schools construction. 90,418

MARYLAND STADIUM AUTHORITY

13. D28A03.60 Hippodrome Performing Arts Center

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for operating costs at the Hippodrome Performing Arts Center.

Object .12 Grants, Subsidies, and Contributions 366,393

General Fund Appropriation 366,393

STATE BOARD OF ELECTIONS

14. D38I01.03 Major Information Technology Development Projects

To become available immediately upon passage of this budget to supplement the appropriation for

fiscal year 2013 to provide funds for the planning of the Optical Scan voting system procurement.

Object .08 Contractual Services	50,000	
Special Fund Appropriation		50,000

15. D38I01.03 Major Information Technology Development Projects

To reduce the appropriation shown on page 16 of the printed bill (first reading file bill), to transfer a portion of funding for planning of the Optical Scan voting system procurement to fiscal year 2013.

Object .08 Contractual Services	–50,000	
Special Fund Appropriation		–50,000

DEPARTMENT OF PLANNING

16. D40W01.07 Management Planning and Educational Outreach

In addition to the appropriation shown on page 18 of the printed bill (first reading file bill), to provide funds to begin developing a master plan for a regional heritage trail originating on the property of the recently discovered Zekiah Indian Fort.

Object .12 Grants, Subsidies, and Contributions	250,000	
General Fund Appropriation		250,000

17. D40W01.08 Museum Services

In addition to the appropriation shown on page 18 of the printed bill (first reading file bill), to provide funds to support operating expenses at the Prince George's County African–American Museum and Cultural Center.

Object .12 Grants, Subsidies, and Contributions	300,000	
General Fund Appropriation		300,000

MILITARY DEPARTMENT

18. D50H01.05 State Operations

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for unanticipated costs in moving the Youth Challenge Program to Edgewood.

Object .08 Contractual Services	700,000	
General Fund Appropriation		175,000
Federal Fund Appropriation		525,000

19. D50H01.05 State Operations

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for unanticipated costs from the derecho storm and Hurricane Sandy.

Object .02 Technical and Special Fees	~~365,802~~ ***237,087***	
Object .08 Contractual Services	149,056	
	~~514,858~~ ***386,143***	
General Fund Appropriation		~~128,715~~ ***0***
Federal Fund Appropriation		386,143

20. D50H01.06 Maryland Emergency Management Agency

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for unanticipated costs from the derecho storm and Hurricane Sandy.

Object .12 Grants, Subsidies, and Contributions	~~1,214,394~~ ***910,796***	
General Fund Appropriation		~~303,598~~

		0
Federal Fund Appropriation		910,796

DEPARTMENT OF VETERANS AFFAIRS

21. D55P00.08 Executive Direction

In addition to the appropriation shown on page 21 of the printed bill (first reading file bill), to provide funds for the Veterans Trust Fund.

Object .12 Grants, Subsidies, and Contributions	100,000	
General Fund Appropriation		100,000

STATE ARCHIVES

22. D60A10.01 Archives

In addition to the appropriation shown on page 22 of the printed bill (first reading file bill), to provide funds to retain graduate student interns at the Madison House in the Town of Brookeville.

Object .02 Technical and Special Fees	20,000	
General Fund Appropriation		20,000

COMPTROLLER OF MARYLAND

23. E00A05.01 Compliance Administration

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for the payment of claims related to the remittance of unclaimed property.

Object .08 Contractual Services	1,500,000	
Special Fund Appropriation		1,500,000

STATE RETIREMENT AGENCY

24. G20J01.01 State Retirement Agency

To adjust the appropriation shown on page 36 of the

printed bill (first reading file bill), to realign local education agency and community college shares of the State Retirement Agency administrative fee from the State Department of Education and the Maryland Higher Education Commission to the State Retirement Agency and to reflect adjustments to pension membership counts for fiscal year 2014.

Object .01 Salaries, Wages and Fringe Benefits	0	
Object .02 Technical and Special Fees	0	
Object .03 Communications	0	
Object .04 Travel	0	
Object .07 Motor Vehicle Operations and Maintenance	0	
Object .08 Contractual Services	0	
Object .09 Supplies and Materials	0	
Object .10 Equipment Replacement	0	
Object .11 Equipment – Additional	0	
Object .12 Grants, Subsidies and Contributions	0	
Object .13 Fixed Charges	0	
	0	
Special Fund Appropriation		14,264,570
Reimbursable Fund Appropriation		–14,264,570

DEPARTMENT OF GENERAL SERVICES

25. H00C01.01 Facilities Operation and Maintenance

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for costs associated with emergency replacement of the automatic transfer switch at the Annapolis Data Center.

Object .08 Contractual Services	133,205	
General Fund Appropriation		133,205

DEPARTMENT OF NATURAL RESOURCES

26. K00A04.01 Statewide Operation – Maryland Park Service

In addition to the appropriation shown on page 46

of the printed bill (first reading file bill), to provide additional funding for the Civic Justice Corps summer program.

Object .08 Contractual Services	160,000	
General Fund Appropriation		160,000

DEPARTMENT OF AGRICULTURE

27. L00A15.04 Resource Conservation Grants

To become available immediately upon passage of this budget to reduce the appropriation for fiscal year 2013 to reflect revised cost estimates for the Cover Crop Program.

Object .12 Grants, Subsidies, and Contributions	–500,000	
General Fund Appropriation		–500,000

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

28. M00B01.03 Office of Health Care Quality

In addition to the appropriation shown on page 60 of the printed bill (first reading file bill), to provide funds to extend the Office of Health Care Quality's regulatory authority to health care staffing agencies.

Personnel Detail:		
Health Facility Surveyor Nurse I	1.00	52,458
Office Secretary III	1.00	33,879
Fringe Benefits		47,424
Turnover		–31,680
Object .01 Salaries, Wages and Fringe Benefits		102,081
Object .03 Communications		1,125
Object .04 Travel		4,238
Object .09 Supplies and Materials		413
Object .11 Equipment – Additional		8,365
Object .13 Fixed Charges		1,800
		118,022

General Fund Appropriation, provided that this appropriation is contingent upon the enactment of Senate Bill 1057 or House Bill

1529 related to the regulation of health care staff agencies. 118,022

29. M00B01.03 Office of Health Care Quality

In addition to the appropriation shown on page 60 of the printed bill (first reading file bill), to provide funds to create a voluntary advanced directive registry.

Object .08 Contractual Services 91,000

General Fund Appropriation 91,000

30. M00F03.04 Family Health and Chronic Disease Services

In addition to the appropriation shown on page 62 of the printed bill (first reading file bill), to provide additional funds to support the Parents and Children Together Inc. Program.

Object .12 Grants, Subsidies, and Contributions 50,000

General Fund Appropriation 50,000

31. M00F03.04 Family Health and Chronic Disease Services

In addition to the appropriation shown on page 62 of the printed bill (first reading file bill), to provide funds to begin implementation of the Cord Blood Transplant Program (Chapters 498 and 499 of 2011). The purpose of the program is to provide funding to qualified medical institutions to establish or maintain a cord blood transplant center.

Object .12 Grants, Subsidies, and Contributions 100,000

General Fund Appropriation 100,000

32. M00J02.01 Laboratory Services

In addition to the appropriation shown on page 64 of the printed bill (first reading file bill), to provide funding for the start–up costs associated

with the implementation of House Bill 1101.

Object .08 Contractual Services 125,000

General Fund Appropriation, provided that this appropriation is contingent upon the enactment of House Bill 1101 related to Medical Marijuana – Academic Medical Centers. 125,000

33. M00L01.01 Program Direction

In addition to the appropriation shown on page 65 of the printed bill (first reading file bill), to provide funds for a data system to track forensically involved individuals under the custody of the Department.

Object .08 Contractual Services 350,000

General Fund Appropriation 350,000

34. M00L01.02 Community Services

In addition to the appropriation shown on page 65 of the printed bill (first reading file bill), to provide funds to establish a Center for Excellence on Early Intervention for Serious Mental Illness ($1,200,000) and to expand crisis response services ($2,000,000), crisis intervention teams ($1,500,000), and mental health first aid ($300,000).

Object .08 Contractual Services 5,000,000

General Fund Appropriation***, provided that the $1,200,000 in funding for a Center for Excellence on Early Intervention for Serious Mental Illness may not be used to support administrative or indirect costs but may only be used for direct care services or research activities.***

Further provided that the $2,000,000 in funding for crisis response services may not be expended until the Mental Hygiene Administration (MHA) reports

to the budget committees by July 1, 2013, on:

(1) the recommended continuum of crisis response services in each jurisdiction;

(2) which of these services is currently available in each jurisdiction, the cost of providing these services and their funding sources;

(3) additional services that are needed to complete the crisis response system in each jurisdiction;

(4) the cost of implementing the additional services that are needed in each jurisdiction;

(5) recommendations as to how these services can be most efficiently implemented in each jurisdiction, or region, if a regional approach is recommended to achieve economies of scale; and

(6) how the available funding will be allocated.

The budget committees shall have 45 days to review and comment on the report. Funding restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees 5,000,000

35. M00L01.03 Community Services for Medicaid Recipients

To become available immediately upon passage of this budget to reduce the appropriation for fiscal

year 2013 to reflect cost savings primarily due to reduced inpatient hospital utilization.

Object .08 Contractual Services	–7,200,000	
General Fund Appropriation		–7,200,000

36. M00L10.01 Services and Institutional Operations

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover the increased cost of Clifton T. Perkins Hospital Center employee overtime and patient off–grounds hospitalization.

Personnel Detail:		
Overtime	3,887,942	
Fringe Benefits	295,095	
Object .01 Salaries, Wages and Fringe Benefits	4,183,037	
Object .08 Contractual Services	795,814	
	4,978,851	
General Fund Appropriation		4,978,851

37. M00M01.02 Community Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for services for individuals with developmental disabilities.

Object .08 Contractual Services	17,379,412	
General Fund Appropriation		3,800,000
Federal Fund Appropriation		13,579,412

38. M00M01.02 Community Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to direct payments to Developmental Disabilities Administration (DDA) providers in good standing who demonstrate, based on (1) certified attendance, (2) claiming of all eligible absence days, and (3) compliance with other anti–fraud procedures

adopted by the Department, that they have lost net revenue across all services as a result of DDA's absence day policy. Once all claims are filed, the Department will make awards based on provider claims and funding availability, with pro–rating if necessary.

Object .08 Contractual Services	750,000	
General Fund Appropriation		750,000

39. M00Q01.03 Medical Care Provider Reimbursements

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to cover the increased cost of medical care provider reimbursements. The program will attain additional federal funds to implement the Medicaid Electronic Health Record Program, Balancing Incentive Payments Program, and physician fee increases.

Object .08 Contractual Services	83,593,797	
Federal Fund Appropriation		83,593,797

40. M00Q01.03 Medical Care Provider Reimbursements

In addition to the appropriation shown on page 71 of the printed bill (first reading file bill), to provide additional funds for nursing home reimbursement payments related to unpaid co–payments.

Object .08 Contractual Services	1,500,000	
General Fund Appropriation		1,500,000

DEPARTMENT OF HUMAN RESOURCES

41. N00A01.04 Maryland Legal Services Program

To become available immediately upon passage of this budget to supplement the appropriation for

fiscal year 2013 to provide funds for legal representation in Children in Need of Assistance and Termination of Parental Rights court hearings.

Object .08 Contractual Services 1,662,220

General Fund Appropriation***, provided that $1,230,043 of this appropriation made for the purpose of legal representation in Children in Need of Assistance and Termination of Parental Rights cases may be expended only for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund*** 1,230,043

Federal Fund Appropriation***, provided that $432,177 of this appropriation made for the purpose of legal representation in Children in Need of Assistance and Termination of Parental Rights cases may be expended only for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled*** 432,177

DEPARTMENT OF LABOR, LICENSING AND REGULATION

42. P00A01.01 Executive Direction – Office of the Secretary

In addition to the appropriation shown on page 79 of the printed bill (first reading file bill), to provide funds for the Maryland Employment Advancement Right Now program.

Object .12 Grants, Subsidies and Contributions 2,000,000

General Fund Appropriation 2,000,000

43. P00E01.03 Racetrack Operation

To become available immediately upon passage of

this budget to supplement the appropriation for fiscal year 2013 to provide funds for regulatory oversight of horse racing and pari–mutuel wagering at Rosecroft Raceway.

Object .02 Technical and Special Fees	438,337	
Object .08 Contractual Services	58,236	
	496,573	
General Fund Appropriation		496,573

44. P00E01.03 Racetrack Operation

In addition to the appropriation shown on page 82 of the printed bill (first reading file bill), to provide funds for regulatory oversight of horse racing and pari–mutuel wagering at Rosecroft Raceway.

Object .02 Technical and Special Fees	280,174	
Object .08 Contractual Services	23,381	
	303,555	
General Fund Appropriation		303,555

45. P00G01.01 Office of the Assistant Secretary

In addition to the appropriation shown on page 83 of the printed bill (first reading file bill), to provide funding for summer jobs programs for Maryland youth.

Object .12 Grants, Subsidies and Contributions	840,000	
General Fund Appropriation		840,000

46. P00G01.14 Aid to Education

In addition to the appropriation shown on page 84 of the printed bill (first reading file bill), to provide funds for adult literacy grants.

Object .12 Grants, Subsidies and Contributions	500,000	
General Fund Appropriation		500,000

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

47. Q00S02.08 Eastern Correctional Institution

In addition to the appropriation shown on page 92 of the printed bill (first reading file bill), to replace the 26–year old electrical distribution control system at the Eastern Correctional Institution. Authorization is granted to allow the Maryland Environmental Service to use non–budgeted reserve funds for the design, demolition, and installation of the new equipment.

Object .06 Fuel and Utilities	14,416	
General Fund Appropriation		14,416

48. Q00T03.01 Community Supervision

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to align budgeted turnover with the actual number of vacancies. Funds may be realigned to other units within the Department.

Personnel Detail:		
Turnover Expectancy	3,500,000	
Object .01 Salaries, Wages and Fringe Benefits	3,500,000	
General Fund Appropriation		3,500,000

STATE DEPARTMENT OF EDUCATION

49. R00A01.05 Office of Information Technology

In addition to the appropriation shown on page 96 of the printed bill (first reading file bill), to provide funds to continue Race to the Top initiatives once federal funds expire, including the Statewide Centralized Student Transcript System, Learning Management System, Curriculum Management System, State Data Dashboards, and Test Item Bank System.

Object .08 Contractual Services	1,845,000	

General Fund Appropriation 1,845,000

50. R00A01.15 Juvenile Services Education Program

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to address under attainment of school system fees.

Object .01 Salaries, Wages and Fringe Benefits 0

General Fund Appropriation 84,000
Reimbursable Fund Appropriation –84,000

51. R00A01.21 Division of Rehabilitation Services – Client Services

In addition to the appropriation shown on page 98 of the printed bill (first reading file bill), to provide funds to reduce the Division of Rehabilitation Services wait list.

Object .02 Technical and Special Fees 500,000

General Fund Appropriation 500,000

52. R00A02.01 State Share of Foundation Program

In addition to the appropriation shown on page 99 of the printed bill (first reading file bill), to reflect revised revenue projections from the Education Trust Fund generated by video lottery terminals.

Object .12 Grants, Subsidies and Contributions 0

General Fund Appropriation –10,000,000
Special Fund Appropriation 10,000,000

53. R00A02.01 State Share of Foundation Program

In addition to the appropriation shown on page 99 of the printed bill (first reading file bill), to provide funds to adjust for enrollment changes.

Object .12 Grants, Subsidies and Contributions 227,792

General Fund Appropriation 227,792

54. R00A02.02 Compensatory Education

In addition to the appropriation shown on page 99 of the printed bill (first reading file bill), to provide funds to adjust for enrollment changes.

Object .12 Grants, Subsidies and Contributions 364,803

General Fund Appropriation 364,803

55. R00A02.03 Aid for Local Employee Fringe Benefits

To reduce the appropriation shown on page 99 of the printed bill (first reading file bill), to realign local education agency share of the State Retirement Agency administrative fee from the State Department of Education to the State Retirement Agency, and to reflect a technical adjustment related to the allocation of the administrative fee.

Object .12 Grants, Subsidies and Contributions –13,656,223

General Fund Appropriation –33,611
Special Fund Appropriation –13,622,612

56. R00A02.07 Students With Disabilities

In addition to the appropriation shown on page 100 of the printed bill (first reading file bill), to provide funds to adjust for enrollment changes.

Object .12 Grants, Subsidies and Contributions 188,536

General Fund Appropriation 188,536

57. R00A02.24 Limited English Proficient

In addition to the appropriation shown on page 101 of the printed bill (first reading file bill), to provide funds to adjust for enrollment changes.

Object .12 Grants, Subsidies and Contributions 75

General Fund Appropriation 75

58. R00A02.25 Guaranteed Tax Base

In addition to the appropriation shown on page 101 of the printed bill (first reading file bill), to provide funds to adjust for enrollment and local appropriation changes.

Object .12 Grants, Subsidies and Contributions	38,577	
General Fund Appropriation		38,577

59. R00A02.39 Transportation

In addition to the appropriation shown on page 101 of the printed bill (first reading file bill), to provide funds to adjust for enrollment changes.

Object .12 Grants, Subsidies and Contributions	40,640	
General Fund Appropriation		40,640

60. R00A02.52 Science and Mathematics Education Initiative

In addition to the appropriation shown on page 101 of the printed bill (first reading file bill), to provide funds for STEM Innovation Network Programs.

Object .12 Grants, Subsidies and Contributions	300,000	
General Fund Appropriation		300,000

61. R00A03.01 Maryland School for the Blind

In addition to the appropriation shown on page 102 of the printed bill (first reading file bill), to provide additional funds for operating expenditures.

Object .12 Grants, Subsidies and Contributions	1,000,000	
General Fund Appropriation		1,000,000

62. R00A03.04 Aid to Non–Public Schools

In addition to the appropriation shown on page 105 of the printed bill (first reading file bill), to provide additional funds for non–public school textbooks.

Object .12 Grants, Subsidies and Contributions 500,000

Special Fund Appropriation 500,000

MORGAN STATE UNIVERSITY

63. R13M00.00 Morgan State University

In addition to the appropriation shown on page 106 of the printed bill (first reading file bill), to provide funds to convert contractual faculty positions to regular faculty positions.

Object .01 Salaries, Wages and Fringe Benefits 615,000

Current Unrestricted Appropriation, ***provided that no funds will be expended until Morgan State University submits a policy, approved by the Board of Regents, on the conversion of contractual positions to the budget committees. The policy shall be submitted by September 1, 2013, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the policy may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the policy is not submitted to the budget committees*** 615,000

64. R13M00.00 Morgan State University

In addition to the appropriation shown on page 106 of the printed bill (first reading file bill), to provide funds to increase institutional need–based financial aid above fiscal year 2013 levels.

Object .12 Grants, Subsidies and Contributions 738,000

Current Unrestricted Appropriation 738,000

UNIVERSITY SYSTEM OF MARYLAND

UNIVERSITY OF MARYLAND, COLLEGE PARK

65. R30B22.00 University of Maryland, College Park

In addition to the appropriation shown on page 108 of the printed bill (first reading file bill), to increase funding for the Harry Hughes Center for Agro–Ecology.

Object .12 Grants, Subsidies and Contributions 100,000

Current Unrestricted Appropriation 100,000

BOWIE STATE UNIVERSITY

66. R30B23.00 Bowie State University

In addition to the appropriation shown on page 108 of the printed bill (first reading file bill), to provide funds to convert contractual faculty positions to regular faculty positions.

Object .01 Salaries, Wages and Fringe Benefits 300,000

Current Unrestricted Appropriation 300,000

67. R30B23.00 Bowie State University

In addition to the appropriation shown on page 108 of the printed bill (first reading file bill), to provide funds to increase institutional need–based financial aid above fiscal year 2013 levels.

Object .12 Grants, Subsidies and Contributions 360,000

Current Unrestricted Appropriation 360,000

TOWSON UNIVERSITY

68. R30B24.00 Towson University

In addition to the appropriation shown on page 108

of the printed bill (first reading file bill), to provide funds to address immediate issues with Federal Title IX compliance with equity for women's scholarships and support services; assistance to explore the addition of another woman's sport to meet proportionality requirements; and operating assistance to support baseball operations while the University community engages in an aggressive fundraising campaign to enable baseball to be self–sufficient in two years.

Object .01 Salaries, Wages and Fringe Benefits 300,000

Current Unrestricted Appropriation, ***provided that this appropriation may not be used for this purpose but instead may be transferred to the University System of Maryland Office to be used only as matching funds for an intercollegiate athletics donation incentive program for institutions competing in NCAA Division I sports to maintain compliance with Title IX. In order to receive funds, institutions shall provide a matching grant from any source. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled*** 300,000

UNIVERSITY OF MARYLAND EASTERN SHORE

69. R30B25.00 University of Maryland Eastern Shore

In addition to the appropriation shown on page 108 of the printed bill (first reading file bill), to provide funds to convert contractual faculty positions to regular faculty positions.

Object .01 Salaries, Wages and Fringe Benefits 270,000

Current Unrestricted Appropriation 270,000

70. R30B25.00 University of Maryland Eastern Shore

In addition to the appropriation shown on page 108 of the printed bill (first reading file bill), to provide additional matching funds for the 1890 Land Grant for research and to support the agency's 1890 Extension Program.

Object .08 Contractual Services	400,000	
Current Unrestricted Appropriation		400,000

71. R30B25.00 University of Maryland Eastern Shore

In addition to the appropriation shown on page 108 of the printed bill (first reading file bill), to provide funds to increase institutional need–based financial aid above fiscal year 2013 levels.

Object .12 Grants, Subsidies and Contributions	324,000	
Current Unrestricted Appropriation		324,000

COPPIN STATE UNIVERSITY

72. R30B27.00 Coppin State University

In addition to the appropriation shown on page 108 of the printed bill (first reading file bill), to provide funds to convert contractual faculty positions to regular faculty positions.

Object .01 Salaries, Wages and Fringe Benefits	315,000	
Current Unrestricted Appropriation		315,000

73. R30B27.00 Coppin State University

In addition to the appropriation shown on page 108 of the printed bill (first reading file bill), to provide funds to increase institutional need–based financial aid above fiscal year 2013 levels.

Object .12 Grants, Subsidies and Contributions	378,000	
Current Unrestricted Appropriation		378,000

MARYLAND HIGHER EDUCATION COMMISSION

74. R62I00.01 General Administration

In addition to the appropriation shown on page 109 of the printed bill (first reading file bill), to provide funds to conduct a study for Frederick Regional Higher Education.

Object .08 Contractual Services	120,000	
General Fund Appropriation, provided that this appropriation is contingent upon the enactment of Senate Bill 522 or House Bill 527 related to the establishment of the Frederick Regional Higher Education Advisory Board.		
Further provided that the Maryland Higher Education Commission shall also conduct a study for the Northeast Maryland Higher Education Advisory Board. The studies shall be submitted to the Frederick County Delegation and Harford and Cecil County Delegations, respectively, and the budget committees		120,000

75. R62I00.01 General Administration

In addition to the appropriation shown on page 109 of the printed bill (first reading file bill), to provide funds for additional staffing support.

Personnel Detail:			
IT Programmer Analyst II	1.00	44,600	
IT Programmer Lead/Advanced	1.00	47,495	
Staff Specialist I	1.00	44,600	
Staff Specialist II	1.00	47,495	
Program Manager IV	1.00	61,496	
Fringe Benefits		119,447	
Turnover		–74,903	
Object .01 Salaries, Wages and Fringe Benefits		290,230	
General Fund Appropriation			261,958
Special Fund Appropriation			28,272

76. R62I00.01 General Administration

In addition to the appropriation shown on page 109 of the printed bill (first reading file bill), to provide funds to support the technology refresh of the data center.

Object .08 Contractual Services	250,000	
General Fund Appropriation		250,000

77. R62I00.06 Aid to Community Colleges – Fringe Benefits

To reduce the appropriation shown on page 110 of the printed bill (first reading file bill), to realign the community colleges' share of the State Retirement Agency administrative fee from the Maryland Higher Education Commission to the State Retirement Agency, and to reflect a technical adjustment related to the allocation of the administrative fee.

Object .12 Grants, Subsidies and Contributions	–667,538	
General Fund Appropriation		–1,643
Special Fund Appropriation		–665,895

78. R62I00.10 Educational Excellence Awards

In addition to the appropriation shown on page 111 of the printed bill (first reading file bill), to provide funds for need–based scholarships.

Object .12 Grants, Subsidies and Contributions	2,000,000	
General Fund Appropriation		2,000,000

SUPPORT FOR STATE OPERATED INSTITUTIONS OF HIGHER EDUCATION

79. R75T00.01 Support for State Operated Institutions of Higher Education

In addition to the appropriation shown on page 113 of the printed bill (first reading file bill), to provide funds for the State's Historically Black Colleges and Universities to convert contractual faculty and provide need–based financial aid, to

provide funds for the Harry Hughes Center for Agro–Ecology, to provide funds to address Title IX compliance issues, and to provide matching funds for the University of Maryland Eastern Shore's 1890 Land Grant.

Object .12 Grants, Subsidies and Contributions 4,100,000

General Fund Appropriation***, provided that $300,000 of this appropriation made for the purpose of Title IX compliance may only be transferred to the University System of Maryland Office to be used only as matching funds for an intercollegiate athletics donation incentive program for institutions competing in NCAA Division I sports to maintain compliance with Title IX. In order to receive funds, institutions shall provide a matching grant from any source. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund*** 4,100,000

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

80. S00A24.01 Neighborhood Revitalization

In addition to the appropriation shown on page 118 of the printed bill (first reading file bill), to provide operating grants to community development organizations through the Baltimore Regional Neighborhoods Demonstration Initiative.

Object .12 Grants, Subsidies and Contributions 750,000

General Fund Appropriation 750,000

81. S00A24.02 Neighborhood Revitalization – Capital Appropriation

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to increase funding for the

Strategic Demolition and Smart Growth Impact Fund, which provides funding to assist in demolition, land assembly, housing development and redevelopment, and revitalization projects.

Object .12 Grants, Subsidies and Contributions	2,500,000	
General Fund Appropriation		2,500,000

82. S00A24.02 Neighborhood Revitalization – Capital Appropriation

In addition to the appropriation shown on page 118 of the printed bill (first reading file bill), to provide capital grants through the Baltimore Regional Neighborhoods Demonstration Initiative.

Object .12 Grants, Subsidies and Contributions	3,000,000	
General Fund Appropriation		3,000,000

83. S00A25.04 Special Loan Programs

In addition to the appropriation shown on page 118 of the printed bill (first reading file bill), to provide funds for weatherization projects funded by the Public Utility Customer Investment Fund.

Object .02 Technical and Special Fees	397,500	
Object .08 Contractual Services	2,252,500	
	2,650,000	
Special Fund Appropriation		2,650,000

84. S00A25.07 Rental Housing Programs – Capital Appropriation

In addition to the appropriation on page 119 of the printed bill (first reading file bill), to provide funds for rental housing units for nonelderly disabled households in Maryland through a grant from the Weinberg Foundation.

Object .14 Land and Structures	1,000,000	
Special Fund Appropriation		1,000,000

DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT

85. T00A00.05 Maryland Biotechnology Center

In addition to the appropriation shown on page 121 of the printed bill (first reading file bill), to provide funds for a grant to the BioTechnical Institute of Maryland, Inc.

Object .12 Grants, Subsidies and Contributions	250,000	
General Fund Appropriation		250,000

86. T00F00.02 Office of International Investment and Trade

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide additional funds for the World Trade Center Institute.

Object .12 Grants, Subsidies and Contributions	100,000	
General Fund Appropriation		100,000

87. T00F00.02 Office of International Investment and Trade

In addition to the appropriation shown on page 122 of the printed bill (first reading file bill), to provide funds for the World Trade Center Institute.

Object .12 Grants, Subsidies and Contributions	100,000	
General Fund Appropriation		100,000

88. T00F00.04 Office of Business Development

In addition to the appropriation shown on page 122 of the printed bill (first reading file bill), to provide funds for a Hagerstown redevelopment study.

Object .08 Contractual Services	100,000	

General Fund Appropriation		100,000

89. T00G00.03 Maryland Tourism Development Board

In addition to the appropriation shown on page 124 of the printed bill (first reading file bill), to provide funds for tourism promotion grants.

Object .12 Grants, Subsidies and Contributions	1,000,000	
General Fund Appropriation		1,000,000

90. T00G00.05 Maryland State Arts Council

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to be used for repayment of the construction of the 9/11 Memorial in Maryland.

Object .12 Grants, Subsidies and Contributions	550,000	
General Fund Appropriation		550,000

91. T00G00.05 Maryland State Arts Council

In addition to the appropriation shown on page 124 of the printed bill (first reading file bill), to provide funds for a grant to Soulful Symphony Program at the Hippodrome Theater.

Object .12 Grants, Subsidies and Contributions	200,000	
General Fund Appropriation		200,000

DEPARTMENT OF THE ENVIRONMENT

92. U00A06.01 Land Management Administration

In addition to the appropriation shown on page 128 of the printed bill (first reading file bill), to provide funds for various oil pollution control related activities.

Object .01 Salaries, Wages and Fringe Benefits	1,835,250
Object .08 Contractual Services	1,064,000
Object .10 Equipment Replacement	100,750

	3,000,000	
General Fund Appropriation, provided that this appropriation is contingent upon the failure of Senate Bill 875.		3,000,000

DEPARTMENT OF JUVENILE SERVICES

93. V00D02.01 Departmental Support

In addition to the appropriation shown on page 130 of the printed bill (first reading file bill), to provide funds for increased communications costs associated with compliance with the federal Prison Rape Elimination Act.

Object .03 Communication	308,537	
General Fund Appropriation		308,537

94. V00G01.02 Baltimore City Region Community Operations

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to be used for non–residential per diem placements.

Object .08 Contractual Services	500,000	
General Fund Appropriation		500,000

95. V00L01.02 Metro Region Community Operations

In addition to the appropriation shown on page 134 of the printed bill (first reading file bill), to provide funds for the Children in Need of Supervision Pilot Program in Prince George's County.

Object .08 Contractual Services	150,000	
General Fund Appropriation		150,000

DEPARTMENT OF STATE POLICE

96. W00A01.02 Field Operations Bureau

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for overtime associated with gun licensing.

Personnel Detail:		
Overtime	97,000	
Object .01 Salaries, Wages and Fringe Benefits	97,000	
General Fund Appropriation		97,000

97. W00A01.02 Field Operations Bureau

In addition to the appropriation shown on page 135 of the printed bill (first reading file bill), to provide funds for an additional trooper class.

Personnel Detail:		
Turnover	2,070,000	
Object .01 Salaries, Wages and Fringe Benefits	2,070,000	
General Fund Appropriation***, provided that this appropriation made for the purpose of providing funds for a third trooper class may only be expended for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund***		2,070,000

98. W00A01.04 Support Services Bureau

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds for unanticipated costs in fuel, maintenance, and information technology.

Object .07 Motor Vehicle Operations and Maintenance	2,086,000	
Object .08 Contractual Services	1,950,000	
	4,036,000	
General Fund Appropriation		2,129,102
Special Fund Appropriation		1,906,898

99. W00A01.04 Support Services Bureau

In addition to the appropriation shown on page 135 of the printed bill (first reading file bill), to provide funds to implement the Firearm Safety Act of 2013 and create the Gun Center.

Personnel Detail:			
Trooper First Class	9.00	529,911	
Computer Systems Technician	2.00	125,850	
Office Services Clerk I	20.00	657,420	
Laboratory Technician I	4.00	123,740	
Overtime		24,987	
Shift Differential		21,384	
Fringe Benefits		1,114,895	
Turnover Expectancy		–489,999	
Object .01 Salaries, Wages and Fringe Benefits		2,108,188	
Object .02 Technical and Special Fees		830,043	
Object .07 Motor Vehicle Operations and Maintenance		385,028	
Object .08 Contractual Services		556,476	
Object .09 Supplies and Materials		149,108	
Object .11 Equipment – Additional		603,718	
		4,632,561	
General Fund Appropriation, provided that this appropriation is contingent upon the enactment of Senate Bill 281 or House Bill 294 related to firearm safety.			4,632,561

PUBLIC DEBT

100. X00A00.01 Redemption and Interest on State Bonds

In addition to the appropriation shown on page 137 of the printed bill (first reading file bill), to provide funds for debt service payments on the State's general obligation bonds.

Object .13 Fixed Charges	17,573,200	
Special Fund Appropriation		17,573,200

STATE RESERVE FUND

101. Y01A02.01 Dedicated Purpose Account

To become available immediately upon passage of this budget to supplement the appropriation for fiscal year 2013 to provide funds to support critical programs impacted by federal sequestration.

Object .12 Grants, Subsidies and Contributions 10,000,000

General Fund Appropriation 10,000,000

AMENDMENTS TO HOUSE BILL 100/ SENATE BILL 125
(First Reading File Bill)

Amendment No. 1:

On page 10, line 31, strike "482,000" and replace with "602,000".

Revises the Historic Annapolis Foundation grant amount in D05E01.10 Miscellaneous Grants to Private Non–Profit Groups Program in the Board of Public Works to reflect supplemental item for this grant.

Amendment No. 2:

On page 100, line 8, strike "269,120,703" and replace with "269,309,239".

Revises the amount of the Formula funding allocated in the R00A02.07 Students With Disabilities Program within Aid to Education to reflect an increase in funding provided for the program in this supplemental budget.

Amendment No.3:

On page 109, after line 30, insert "The Maryland Higher Education Commission (MHEC), in consultation with the Department of Budget and Management (DBM), shall undertake a study of the State's Historically Black Colleges and Universities (HBCUs). The study shall serve as a basis for development of a plan to ensure the long–term stability and success of the HBCUs. The study shall include an analysis and recommendations that address the following areas:

1) Institutional resource needs and the adequacy of State funding;

2) Affordability for students and adequacy of student financial aid;

3) An assessment of the college readiness of students and programs and strategies to improve student success;

4) Strategies to increase degree completion;

5) Duplication of academic programs;

6) Campus leadership;

7) Adequacy of full–time faculty; and

8) Any other issues pertaining to the long–term success of the HBCUs.

The Commission, in consultation with DBM, shall consult with the HBCUs and other stakeholders as appropriate to collect data, review current programs, assess needs, and develop recommendations. The Commission shall submit a preliminary report by December 31, 2013, and a final report by December 31, 2014, to the Governor, the House Appropriations Committee and the Senate Budget and Taxation Committee.".

Adds budget bill language that requires the Maryland Higher Education Commission and the Department of Budget and Management to conduct a study to develop a plan to ensure the long–term stability of the State's Historically Black Colleges and Universities.

Amendment No. 4:

On page 113, line 11, strike "417,771,593" and replace with "417,871,593".

Revises the amount of funding allocated in R30B22 University of Maryland, College Park to reflect an increase in funding provided for the program in this supplemental budget.

Amendment No. 5:

On page 113, line 12, strike "36,196,366" and replace with "36,856,366".

Revises the amount of funding allocated in R30B23 Bowie State University to reflect an increase in funding provided for the program in this supplemental budget.

Amendment No. 6:

On page 113, line 13, strike "93,044,259" and replace with "93,344,259".

Revises the amount of funding allocated in R30B24 Towson University to reflect an increase in funding provided for the program in this supplemental budget.

Amendment No. 7:

On page 113, line 15, strike "32,605,048" and replace with "33,599,048".

Revises the amount of funding allocated in R30B25 University of Maryland Eastern Shore to reflect an increase in funding provided for the program in this supplemental budget.

Amendment No. 8:

On page 113, line 19, strike "38,406,033" and replace with "39,099,033".

Revises the amount of funding allocated in R30B27 Coppin State University to reflect an increase in funding provided for the program in this supplemental budget.

Amendment No. 9:

On page 113, line 33, strike "1,080,475,790" and replace with "1,083,222,790".

Adjusts the total amount of funding allocated to the University System of Maryland to reflect the changes shown in amendments 4 through 8 in this supplemental budget.

Amendment No. 10:

On page 113, line 39, strike "74,343,229" and replace with "75,696,229".

Revises the amount of funding allocated in R13M00 Morgan State University to reflect an increase in funding provided for the program in this supplemental budget.

Amendment No. 11:

On page 165, line 2, after the word "Starts" insert "(@ 114,240)"; after the word "2" strike "114,240" and replace with "228,480".

Revises the Executive Project Director, New Starts salaries to reflect two positions for Maryland Transit Administration within Section 3 Flat Rate Positions of the FY 2014 budget bill.

Amendment No. 12:

On page 178, line 15, strike "Deputy Secretary" and replace with "Executive VIII".

Revises the Deputy Secretary classification to Executive VIII to reflect only one Deputy Secretary position for the Department of the Environment within Section 12 Executive Pay Plan of the FY 2014 budget bill.

SUMMARY

SUPPLEMENTAL APPROPRIATIONS

	General Funds	Special Funds	Federal Funds	Reimbursable Funds	Current Unrestricted Funds	Total Funds
Appropriation						
2013 Fiscal Year	32,260,005	3,456,898	99,427,325	0	0	135,144,228
2014 Fiscal Year	49,940,149	79,696,131	0	0	4,100,000	133,736,280
Subtotal	82,200,154	83,153,029	99,427,325	0	4,100,000	268,880,508
Reduction in Appropriation						
2013 Fiscal Year	–7,700,000	0	0	–84,000	0	–7,784,000
2014 Fiscal Year	–10,035,254	–14,338,507	0	–14,264,570	0	–38,638,331
Subtotal	–17,735,254	–14,338,507	0	–14,348,570	0	–46,422,331
Net Change in Appropriation	64,464,900	68,814,522	99,427,325	–14,348,570	4,100,000	222,458,177

Sincerely,

Martin O'Malley
Governor

Enacted under Article III, § 52(6) of the Maryland Constitution, April 5, 2013.

Chapter 424

(House Bill 101)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2013, and the Maryland Consolidated Capital Bond Loans of *2005*, 2006, 2007, 2008, 2009, 2010, 2011, and 2012

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~One Billion, One Hundred Three Million, Six Thousand Dollars ($1,103,006,000)~~ ~~One Billion, One Hundred Eight Million, One Hundred and Eighty–Four Thousand Dollars ($1,108,184,000)~~ ~~*One Billion, One Hundred Million, Seven Hundred and Twenty–Seven Thousand Dollars ($1,100,727,000)*~~ *One Billion, One Hundred and Nine Million, One Hundred and Nineteen Thousand Dollars ($1,109,119,000)*, the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to certain requirements that certain matching funds be provided and expended by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt in certain years to be used for certain purposes; providing that certain funds allocated to certain eligible school construction projects in a county that are not spent for the project may be applied to another eligible project or reserved in a certain contingency fund for certain purposes; *requiring certain grants to local boards of education to be distributed in certain amounts for a certain fiscal year; authorizing certain Aging Schools Program funds to be distributed as certain grants to certain nonpublic schools that meet certain criteria; requiring the Maryland State Department of Education and the Interagency Committee on School Construction to administer certain grants to certain nonpublic schools;* providing for a restricted purpose for certain Program Open Space funds if certain matching fund requirements are met; *providing for the application and distribution of certain proceeds from the sale of a certain parcel at a certain hospital center; prohibiting the expenditure of certain funds until a certain Council submits a certain report assessing certain educational needs and requiring certain parties to submit a formal agreement regarding certain roles and responsibilities;* prohibiting the expenditure of certain funds until certain Memoranda of Understanding are developed; prohibiting the expenditure of certain funds until

a certain university submits a certain report to the Department of Budget and Management; providing for participation in a certain report by the Maryland State Archives; declaring a certain intent of the General Assembly; prohibiting the expenditure of certain funds until certain reports are submitted to certain committees of the General Assembly; prohibiting the expenditure of certain funds for certain acquisitions prior to providing certain cost benefit analyses to certain committees of the General Assembly; prohibiting the expenditure of certain funds until certain universities develop and submit to certain committees of the General Assembly a certain plan to provide access to certain higher education institutions; ~~*declaring the intent of the General Assembly for a grant to be provided from a certain financing fund to design the renovation of a certain museum;*~~ *requiring certain funds to be expended only in accordance with certain provisions of law;* prohibiting the expenditure of certain funds until a certain department provides a certain report to certain committees of the General Assembly; providing for the construction and effect of certain provisions of the Local Government Article; altering the number of days before seeking approval of certain bond issuances from the Board of Public Works that the Maryland Stadium Authority must provide certain plans to certain committees of the General Assembly; repealing the requirement for certain funds approved for certain school construction projects that have not been contracted for within a certain period of time to revert to a certain fund and authorizing the funds to be available or reserved for certain eligible projects; requiring certain reserved funds not used within a certain period of time to be made available for certain purposes; imposing a certain tax on all assessable property in the State; requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; providing that the proceeds of certain loans must be expended or encumbered by a certain date; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; providing for certain additional information to be detailed about each project in the capital program under certain circumstances; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization acts; *making certain technical corrections;* providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 483 of the Acts of the General Assembly of 2010 and Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item UB00(A)(5)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item RB27(C)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 488 of the Acts of the General Assembly of 2007, Chapter 485 of the Acts of the General Assembly of 2009, and Chapter 444 of the Acts of the General Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item DE02.01(D)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item VD01(A)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008, Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, and Chapter 444 of the Acts of the General Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item QB08(A), QP00(A), and ZA00(R)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item KA05(B)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item MF05(A)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item DE02.01(H)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, and Chapter 444 of the Acts of the General Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item DE02.01(E), KA05(C), MF05(A), QG00(A), QP00(A) and (B), and ZA00(V)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item DH01(A) <u>and Section 12(3) Item ZB02(C)</u>

<u>BY repealing and reenacting, with amendments,</u>
<u>Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010 and Chapter 396 of the Acts of the General Assembly of 2011</u>
<u>Section 12(1)</u>

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010 and Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item RE01(B)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 396 of the Acts of the General Assembly of 2011 and Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item QB08.01(A)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item RE01(C)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, and Chapter 444 of the Acts of the General Assembly of 2012

Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item MM06(A)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 396 of the Acts of the General Assembly of 2011 and Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item QP00(A)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item VE01(A)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 396 of the Acts of the General Assembly of 2011 and Chapter 444 of the Acts of the General Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item RB29(A) ~~and ZA00(J)~~*, ZA00(J), and ZA01.08(A)*

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 444 of the Acts of the General Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item *DE02.02(A)*, MM06(D), RB34(A), VE01(A), and ZA00(C) and (P)

BY repealing
Chapter 444 of the Acts of the General Assembly of 2012
Section 12, 13, and 14

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–640(b), 10–641(c), 10–642(b), 10–643(b), and 10–644(c)
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–301(j)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2013 in the total principal amount of ~~$1,103,006,000~~ ~~$1,108,184,000~~ ~~*$1,100,727,000*~~ *$1,109,119,000*. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence this loan or installments of this loan may be sold as a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

EXECUTIVE DEPARTMENT – GOVERNOR

DA02.01 DEPARTMENT OF DISABILITIES
(Statewide)

(A)	Accessibility Modifications. Provide funds to design and construct handicapped accessibility modifications at State–owned facilities	1,600,000

DE02.01 BOARD OF PUBLIC WORKS

STATE GOVERNMENT CENTER – ANNAPOLIS
(Anne Arundel County)

(A)	Old Senate Chamber Reconstruction. Provide funds to complete design and construct alterations and renovations to the State House in order to restore the Old Senate Chamber to its 18th Century appearance	4,850,000

(B) Annapolis Post Office Renovation and Addition. Provide funds for the design of renovations to the historic Annapolis Post Office building located on Church Circle in Annapolis 351,000

GENERAL STATE FACILITIES

(C) Facilities Renewal Fund. Provide funds for the State Capital Facilities Renewal Program (Statewide) 15,000,000

(D) Fuel Storage Tank System Replacement Program. Provide funds to remove, replace, or upgrade State–owned fuel storage tank systems 1,400,000

JUDICIARY/MULTISERVICE CENTERS

(E) St. Mary's County District Court and Multi–Service Center Land Acquisition. Provide funds to acquire land where the St. Mary's County District Court and Multi–Service Center are located 300,000

DE02.02 PUBLIC SCHOOL CONSTRUCTION
(Statewide)

(A) Public School Construction Program. Provide funds to construct public school buildings and public school capital improvements in accordance with §§ 5–301 through 5–303 of the Education Article, provided that $25,000,000 of this appropriation shall be used to fund projects that install air conditioning systems in schools that do not currently have centralized air conditioning systems.

Further provided that any school construction funds allocated to an eligible project in a county that are not spent for the project may, within 2 years, at the county's option be:

(1) applied to another eligible project in the current fiscal year; or

(2) reverted to the contingency fund and reserved for eligible projects in the county in the next fiscal year, which shall be in addition to new funds allocated for eligible projects in the county in the next fiscal year.

Further provided that any school construction funds reserved for a county in the contingency fund that are not encumbered within 2 years shall become available to be allocated to an eligible project in any county 300,000,000

(B) Aging Schools Program. Provide additional grants to be distributed to local boards of education ~~in proportion to grants received under § 5–206 of the Education Article~~. *Notwithstanding § 5–206(f)(2)(ii) of the Education Article, for fiscal 2014, the distribution to local boards of education shall be as follows:*

(1)	*Allegany County*	*97,791*
(2)	*Anne Arundel County*	*506,038*
(3)	*Baltimore City*	*1,387,924*
(4)	*Baltimore County*	*2,874,227*
(5)	*Calvert County*	*38,292*
(6)	*Caroline County*	*50,074*
(7)	*Carroll County*	*137,261*
(8)	*Cecil County*	*96,024*
(9)	*Charles County*	*50,074*
(10)	*Dorchester County*	*38,292*
(11)	*Frederick County*	*182,622*
(12)	*Garrett County*	*38,292*
(13)	*Harford County*	*217,379*
(14)	*Howard County*	*87,776*
(15)	*Kent County*	*38,292*
(16)	*Montgomery County*	*602,651*
(17)	*Prince George's County*	*1,209,426*
(18)	*Queen Anne's County*	*50,074*
(19)	*St. Mary's County*	*50,074*
(20)	*Somerset County*	*38,292*

(21)	*Talbot County*	*38,292*	
(22)	*Washington County*	*134,904*	
(23)	*Wicomico County*	*106,627*	
(24)	*Worcester County*	*38,292*	~~6,109,000~~ *8,109,000*

(C) Nonpublic Aging Schools Program. Provide funds to be distributed as grants to nonpublic schools in Maryland for expenditures eligible under the Aging Schools Program established in § 5–206 of the Education Article, including school security improvements. Provided that grants may only be provided to nonpublic schools eligible to receive Aid to Non–Public Schools R00A03.04 (for the purchase of textbooks or computer hardware and software for loan to students in eligible nonpublic schools) with a maximum amount of $35 per eligible nonpublic school student for participating schools, except that at schools where at least 20% of the students are eligible for the free or reduced price meal program there shall be a distribution of $50 per student and no individual school may receive less than $5,000. Further provided that the funds shall be administered by the Maryland State Department of Education and the Interagency Committee on School Construction *3,500,000*

DH01.04 MILITARY DEPARTMENT

(A) Gunpowder Military Reservation Firing Range. Provide funds to design and construct renovations to the firing range facility at Gunpowder Military Reservation Training Site (Baltimore County) 1,382,000

DEPARTMENT OF PLANNING

DW01.10 DIVISION OF HISTORICAL AND CULTURAL PROGRAMS
(Statewide)

(A) Maryland Historical Trust. Provide funds for the African American Heritage Preservation Program to assist in the protection of historic property. The funds appropriated for this purpose shall be administered in accordance with § 5A–330 of the State Finance and Procurement Article 1,000,000

(B) Maryland Historical Trust. Provide funds for the Maryland

Historical Trust Capital Loan Fund for the protection of historic property. The funds appropriated for this purpose shall be administered in accordance with § 5A–327 of the State Finance and Procurement Article 150,000

FB04 DEPARTMENT OF INFORMATION TECHNOLOGY
(Statewide)

(A) Public Safety Communications System. Provide funds to construct and equip a statewide public safety communications system to provide the State with a new, modern, unified radio communications system 22,300,000

(B) One Maryland Broadband Network. Provide funds for the construction and equipping of a statewide fiber optic network . 1,200,000

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A) Community Parks and Playgrounds. Provide funds for grants to local governments to design and construct capital–eligible park and playground improvement projects 2,500,000

(B) Natural Resources Development Fund. Provide funds to design, construct, and equip capital development projects on Department of Natural Resources property in accordance with § 5–903(g) of the Natural Resources Article. Funds may only be spent on the projects listed below or on previously authorized projects: 4,562,000

(1) Harriet Tubman Underground Railroad State Park (Dorchester County) 250,000

(2) Cunningham Falls State Park – Day Use and Beach Improvements (Frederick County)..... 316,000

(3) Western Maryland Recreational Access and Trail Restoration Project (Garrett County) 886,000

(4) New Germany State Park – Day Use and Beach Improvements (Garrett County) 326,000

(5) Rocks State Park – New Rocks Ridge Comfort Station (Harford County) 136,000

(6) Janes Island State Park – Cabin Renovations and Replacement (Somerset County) 800,000

(7) Point Lookout State Park – Charge Collection System Improvements (St. Mary's County) 98,000

(8) North Point State Battlefield Improvements (Baltimore County) 500,000

(9) State Parks – New Natural Playgrounds (Statewide) 1,250,000

(C) Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article 32,939,000

(1) Program Open Space – Stateside – Prior Funds Replacement, provided that, notwithstanding §§ 5–905 through 5–906 of the Natural Resources Article, $1,000,000 of this authorization is restricted for the purposes of providing a grant to the Board of Directors of Parks and People – The Foundation of Baltimore Recreation and Parks, Inc. for the construction of the Center for Parks and People at Auchentoroly Terrace at Druid Hill Park, located in Baltimore City, subject to the requirement that the grantee provide an equal and matching fund for this purpose 15,093,000

(2) Program Open Space – Local – Prior Funds Replacement 17,846,000

(D) Critical Maintenance Program. Provide funds to construct capital improvements such as planned maintenance and repair projects at public use facilities on State–owned property 4,467,000

(E) Waterway Improvement Fund. Provide funds to finance projects which expand and improve recreational boating throughout the State consistent with the State Boat Act. The funds appropriated for this purpose shall be administered in accordance with §§ 8–707 through 8–709 of the Natural Resources Article 3,000,000

(F) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article ..... ~~14,456,000~~ ~~*5,190,000*~~ *8,148,000*

KA14.02 WATERSHED SERVICES
(Statewide)

(A) Chesapeake Bay 2010 Trust Fund. Provide funds to be credited to the Chesapeake Bay 2010 Trust Fund. Funds allocated to the Chesapeake Bay Trust Fund shall be used for capital–eligible project expenses. Specific projects will be determined by the BayStat Subcabinet 36,558,000

KA17 FISHERIES SERVICES
(Statewide)

(A) Oyster Restoration Program. Provide funds to design and construct oyster habitat restoration projects and provide grants for aquaculture development projects..... 10,000,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose

shall be administered in accordance with §§ 2–501 through 2–519 of the Agriculture Article ..... ~~12,653,000~~ ~~7,235,000~~ *10,235,000*

LA12 OFFICE OF MARKETING, ANIMAL INDUSTRIES AND CONSUMER SERVICES
(Statewide)

(A) Tobacco Transition Program. Provide funds for the purchase of agricultural easements for the Tobacco Transition Program 1,917,000

LA15 OFFICE OF RESOURCE CONSERVATION
(Statewide)

(A) Maryland Agricultural Cost–Share Program (MACS). Provide funds for financial assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms. The funds appropriated for this purpose shall be administered in accordance with §§ 8–701 through 8–705 of the Agriculture Article 3,750,000

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

MA01 OFFICE OF THE SECRETARY
(Statewide)

(A) Community Health Facilities Grant Program. Provide grants to acquire, design, construct, renovate, and equip community mental health, addiction treatment, and developmental disabilities facilities. The funds appropriated for this purpose shall be administered in accordance with §§ 24–601 through 24–607 of the Health – General Article 5,250,000

(B) Federally Qualified Health Centers Grant Program. Provide grants to acquire, design, construct, renovate, convert, and equip buildings to be used as Federally Qualified Health Centers 660,000

MENTAL HYGIENE ADMINISTRATION

ML01 *SPRING GROVE HOSPITAL CENTER*
(Baltimore County)

(A) *Spring Grove Hospital Center Consolidation. Provide funds to design and renovate existing structures in order to consolidate*

patient activity at the Spring Grove Hospital Center. Notwithstanding the provisions of § 10–306 of the State Finance and Procurement Article and § 10–208 of the Health – General Article, any proceeds from the sale of an existing parcel of the Spring Grove Hospital Center campus made for the purpose of this consolidation shall be:

(1) applied to the renovation of existing structures in order to consolidate patient activity on the campus; and

(2) any funds remaining after the completion of renovations shall be distributed according to § 10–208 of the Health – General Article... 400,000

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

QB02 DIVISION OF CORRECTION
MARYLAND HOUSE OF CORRECTION
(Anne Arundel County)

(A) Maryland House of Correction Deconstruction Project. Provide funds to design, construct, and equip the deconstruction of the Maryland House of Correction (MHC) at the Jessup Correctional Institution ..... ~~4,306,000~~ *3,306,000*

QB06.04 DORSEY RUN CORRECTIONAL FACILITY
(Anne Arundel County)

(A) 560–Bed Minimum Security Compound. Provide funds to construct a new 560–bed minimum security compound at Dorsey Run Correctional Facility, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project 987,000

QP00 DIVISION OF PRETRIAL DETENTION AND SERVICES
(Baltimore City)

(A) New Youth Detention Center. Provide funds to design a new Youth Detention Center. A renovation of the Baltimore Pre–Release Unit and the Occupational Skills Training Center and the building of an addition to house the youth charged as adult population..... 2,600,000

RA01 STATE DEPARTMENT OF EDUCATION

(A) Public Library Capital Grant Program. Provide grants to acquire land, design, construct, and equip public library facilities, provided that any reallocation of this authorization or prior authorized funds for previously authorized or new projects shall require notification to the General Assembly. The funds appropriated for this purpose shall be administered in accordance with § 23–510 of the Education Article (Statewide) ..... ~~2,300,000~~ 5,000,000

(B) State Library Resource Center. Provide funds to complete the design of the renovation of the State Library Resource Center at the Central Branch of Baltimore City's Enoch Pratt Free Library System (Baltimore City) 1,205,000

UNIVERSITY SYSTEM OF MARYLAND

RB21 UNIVERSITY OF MARYLAND, BALTIMORE
(Baltimore City)

(A) Health Sciences Research Facility III and Surge Building. Provide funds to design, construct, and equip a new research facility at the University of Maryland, Baltimore, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project 16,570,000

RB22 UNIVERSITY OF MARYLAND, COLLEGE PARK
(Prince George's County)

(A) Remote Library Storage Facility. Provide funds to design, construct, and equip a Remote Library Storage Facility, provided that no funds appropriated in fiscal 2014 may be expended for this project until the University submits a report to the Department of Budget and Management and the Department of Budget and Management approves a report which explores options for the joint use of this facility by the University of Maryland, College Park (UMCP) and the Maryland State Archives (MSA). The report shall explore the feasibility and cost of the following joint UMCP and MSA options: permanent joint use of the remote library storage facility to meet the storage needs of both the University and the MSA; temporary use of a portion of the remote library storage facility until the storage needs of the MSA can be addressed; renovation of space in the Severn Building to

permanently address the storage needs of the MSA; temporary use of the Severn Building to meet the storage needs of the MSA; construction of an addition to the Severn Building to address the storage needs of the MSA; a joint storage facility with the Washington Research Library Consortium; and other temporary or permanent options to meet the storage needs of the MSA. MSA will participate in the preparation of the report by providing UMCP with information on MSA's current and projected space needs in a timely manner and information on acceptability of joint solutions proposed by UMCP within 2 weeks of UMCP proposing the solutions. The report shall be submitted to the budget committees, and the committees shall have 45 days to review and comment on the report 6,107,000

(B) Physical Sciences Complex. Provide funds to equip Phase I of a new Physical Sciences Complex to provide modern laboratory and office space for the Department of Physics, the Department of Astronomy, and the Institute for Physical Sciences and Technology 5,300,000

(C) Campuswide Building System and Infrastructure Improvements. Provide funds to design, construct, and equip campuswide infrastructure improvements at the College Park campus 5,000,000

(D) Edward St. John Learning and Teaching Center. Provide funds to complete design of the new Edward St. John Learning and Teaching Center 3,420,000

(E) H. J. Patterson Hall – Wing 1 Renovation. Provide funds to design the renovation of Wing 1 of H. J. Patterson Hall 878,000

(F) New Bioengineering Building. Provide funds to design a new Bioengineering Building 5,000,000

RB23 BOWIE STATE UNIVERSITY
(Prince George's County)

(A) New Natural Sciences Center. Provide funds to design and construct a new Natural Sciences Center and demolish the Wiseman Student Center 4,500,000

(B) Leonidas James Physical Education Complex. Provide funds to design, construct, renovate, and equip the installation of air conditioning 1,500,000

RB24 TOWSON UNIVERSITY
(Baltimore County)

(A) Campuswide Safety and Circulation Improvements. Provide funds to construct campuswide safety and circulation improvements 7,812,000

(B) Smith Hall Expansion and Renovation. Provide funds to design the expansion and renovation of Smith Hall 3,200,000

(C) Softball Stadium. Provide funds to design, construct, renovate, and capital equip infrastructure improvements to the softball facility, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project *500,000*

RB25 UNIVERSITY OF MARYLAND EASTERN SHORE
(Somerset County)

(A) New Engineering and Aviation Science Building. Provide funds to design and construct a new Engineering and Aviation Science Building, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project ... 22,695,000

RB26 FROSTBURG STATE UNIVERSITY
(Allegany County)

(A) New Center for Communications and Information Technology. Provide funds to construct and equip a new Center for Communications and Information Technology ..... ~~9,103,000~~
9,843,000

RB27 COPPIN STATE UNIVERSITY
(Baltimore City)

(A) New Science and Technology Center. Provide funds to construct and equip the New Science and Technology Center, *provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project* ..... ~~50,428,000~~
44,412,000

(B) Pedestrian Bridge – ADA Improvements. Provide funds to design, construct, and equip an ADA–compliant stair tower connected to the Health and Human Services Building pedestrian bridge across North Avenue 1,786,000

RB28 UNIVERSITY OF BALTIMORE
(Baltimore City)

(A) Langsdale Library. Provide funds to design the renovation of the Langsdale Library 1,000,000

RB29 SALISBURY UNIVERSITY
(Wicomico County)

(A) New Academic Commons. Provide funds to design and construct a new Academic Commons (Library), provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project 6,572,000

(B) Delmarva Public Radio. Provide funds to design, construct, renovate, and equip a facility for the relocation of Delmarva Public Radio 900,000

RB31 UNIVERSITY OF MARYLAND BALTIMORE COUNTY
(Baltimore County)

(A) New Performing Arts and Humanities Facility. Provide funds to construct and equip Phase II of the New Performing Arts and Humanities Facility ..... ~~35,216,000~~
36,106,000

(B) Campus Traffic Safety and Circulation Improvements. Provide funds to design and construct improvements to the campus vehicular circulation system, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project 1,962,000

RB34 UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE
(Calvert County)

(A) New Environmental Sustainability Research Laboratory. Provide funds to design the New Environmental Sustainability Research Laboratory, demolish the existing R. V. Truitt Laboratory building, and relocate utilities 2,350,000

RB36 UNIVERSITY SYSTEM OF MARYLAND OFFICE
(Statewide)

(A) Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Provide funds to design a Biomedical Sciences and Engineering Education Facility at the Shady Grove Educational Center 5,000,000

(B) *Southern Maryland Regional Higher Education Facility. Provide funds to design a third building on the Southern Maryland Higher Education Center (SMHEC) campus to provide academic, laboratory, and business incubator facility space, provided that no funds may be expended until the Southern Maryland Higher Education Council submits a report assessing the educational needs of southern Maryland. Further provided that SMHEC, the University of System of Maryland, and the Southern Maryland Navy Alliance shall submit a formal agreement including the roles and responsibilities of each in the design and funding for the construction, and the associated operating costs, of the facility. The budget committees shall have 45 days to review and comment on the submitted reports ..... .* *1,500,000*

RD00 ST. MARY'S COLLEGE OF MARYLAND
(St. Mary's County)

(A) Anne Arundel Hall Reconstruction. Provide funds to complete archeological field work and begin construction of the Anne Arundel Hall Reconstruction Project, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project 4,580,000

RE01 MARYLAND SCHOOL FOR THE DEAF
(Frederick County)

(A) New Fire Alarm and Emergency Notification System – Frederick Campus. Provide funds to construct and upgrade new fire alarm and emergency notification systems in buildings at the Frederick Campus of the Maryland School for the Deaf 850,000

RI00 MARYLAND HIGHER EDUCATION COMMISSION
(Statewide)

(A) Community College Facilities Grant Program. Provide funds to assist the subdivisions in the acquisition of property and in the design, construction, renovation, and equipping of local and regional community college buildings, site improvements, and facilities. Provided that the funds needed for the State's

share of the cost of design, construction, and capital equipping for Baltimore County Community College's Catonsville – F Building Renovation and Expansion, Chesapeake College's Center for Allied Health and Athletics, the College of Southern Maryland's Center for Regional Programs, Howard Community College's New Science, Engineering and Technology Building, and Montgomery College's Rockville Science West Building Renovation be provided as split authorizations in fiscal 2014 and 2015 and that this Act include a preauthorization for Baltimore County Community College's Catonsville – F Building Renovation and Expansion, Chesapeake College's Center for Allied Health and Athletics, the College of Southern Maryland's Center for Regional Programs, Howard Community College's New Science, Engineering and Technology Building, and Montgomery College's Rockville Science West Building in the State's remaining fiscal 2015 cost share. The funds appropriated for this purpose shall be administered in accordance with § 11–105(j) of the Education Article 52,035,000

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

(A) New School of Business Complex and Connecting Bridge. Provide funds to construct and equip a new School of Business Complex and Connecting Bridge, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all the funds necessary to complete this project 50,514,000

(B) Soper Library Demolition. Provide construction funds for the demolition of Soper Library, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project 3,850,000

(C) New Jenkins Behavioral and Social Sciences Center. Provide funds to complete design of the New Jenkins Behavioral and Social Sciences Center 297,000

(D) Athletic Facility Renovations. Provide funds to design, construct, and equip renovations to Morgan State University athletic facilities, including the men's locker room area 200,000

RQ00 UNIVERSITY OF MARYLAND MEDICAL SYSTEM
(Baltimore City)

(A) New Ambulatory Care Pavilion and NICU and Labor and Delivery Units. Provide a grant to the University of Maryland Medical System to assist in the design, construction, and capital equipping of the New Ambulatory Pavilion and the design, renovation, and equipping of the NICU and Labor and Delivery Units at the University of Maryland Medical Center. It is the intent of the General Assembly that the State commitment for the New Ambulatory Care Pavilion and NICU and Labor and Delivery Units will total $50,000,000 in the period fiscal 2014 through 2018 ..... ~~10,000,000~~ ~~8,248,000~~ *10,000,000*

(B) Trauma, Critical Care, and Emergency Medicine Services Expansion Project. Provide a grant to the University of Maryland Medical System to assist in the construction and equipping of the University of Maryland Medical Center – Trauma, Critical Care, and Emergency Medicine Services Expansion project 5,000,000

(C) R Adams Cowley Shock Trauma Center – Phase II. Provide a grant to the University of Maryland Medical System to assist in the design and construction of renovations to the R Adams Cowley Shock Trauma Center 150,000

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Any financial assistance awarded under the Community Legacy Program, Homeownership Programs, and Special Loan Programs is not subject to § 8–301 of the State Finance and Procurement Article.

SA24 DIVISION OF NEIGHBORHOOD REVITALIZATION
(Statewide)

(A) Community Legacy Program. Provide funds to assist neighborhoods with revitalization efforts. The funds shall be administered in accordance with §§ 6–201 through 6–211 of the Housing and Community Development Article and Code of Maryland Regulations (COMAR) 05.17.01 6,000,000

(B) Neighborhood Business Development Program. Provide funds for grants and loans to fund community–based economic development activities in revitalization areas designated by local governments. The funds shall be administered in accordance with §§ 6–301 through 6–311 of the Housing and

Community Development Article ..... ~~2,510,000~~
1,010,000

(C) Strategic Demolition and Smart Growth Impact Project Fund. Provide funds for grants and loans to government agencies, nonprofit organizations, and private entities for demolition, land assembly, housing development or redevelopment, and revitalization projects in areas: (i) designated a Sustainable Community under § 6–205 of the Housing and Community Development Article, a BRAC Revitalization and Incentive Zone under Title 5, Subtitle 13 of the Economic Development Article, or a transit–oriented development under § 7–101 of the Transportation Article; or (ii) that will become designated through the implementation of PlanMaryland under Executive Order 01.01.2011.22. The Department of Housing and Community Development (DHCD) is authorized to administer these funds in accordance with this section and criteria established by DHCD. Provided, that any repayments of loans or grants shall be credited to the Community Legacy Financial Assistance Fund under § 6–211 of the Housing and Community Development Article ..... ~~7,500,000~~
5,000,000

SA25 DIVISION OF DEVELOPMENT FINANCE
(Statewide)

(A) Partnership Rental Housing Program. Provide funds to be credited to the Partnership Rental Housing Fund to be administered in accordance with §§ 4–501, 4–503, and 4–1201 through 4–1209 of the Housing and Community Development Article 6,000,000

(B) Homeownership Programs. Provide funds for below–market interest rate mortgages with minimum down payments to low– and moderate–income families. These funds shall be administered in accordance with §§ 4–501, 4–502, 4–801 through 4–810, and 4–814 through 4–816 of the Housing and Community Development Article 7,600,000

(C) Shelter and Transitional Housing Facilities Grant Program. Provide grants to acquire, design, construct, renovate, and equip facilities for homeless individuals and families. The funds shall be administered in accordance with the Code of Maryland Regulations (COMAR) 05.05.09 1,500,000

(D) Special Loan Programs. Provide funds to low– and moderate–income families, sponsors of rental properties

occupied primarily by limited income families, and nonprofit sponsors of housing facilities, including group homes and shelters. These funds shall be administered in accordance with §§ 4–501, 4–505, 4–601 through 4–612, 4–701 through 4–712, 4–901, 4–923, 4–927, and 4–933 of the Housing and Community Development Article 6,600,000

(E) Rental Housing Program. Provide funds for rental housing developments that serve low– and moderate–income households. The funds shall be administered in accordance with §§ 4–101 through 4–255, 4–401 through 4–409, 4–501, 4–504, 4–901 through 4–923, 4–929, 4–933, and 4–1501 through 4–1511 of the Housing and Community Development Article ..... ~~25,000,000~~ *20,000,000*

DEPARTMENT OF THE ENVIRONMENT

UA01 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Water Quality Revolving Loan Fund. Provide funds to finance water quality improvement projects. These funds shall be administered in accordance with § 9–1605 of the Environment Article 6,840,000

(B) Maryland Drinking Water Revolving Loan Fund. Provide funds to finance drinking water projects. These funds shall be administered in accordance with § 9–1605.1 of the Environment Article 2,832,000

UA04 WATER MANAGEMENT ADMINISTRATION
(Statewide)

(A) Chesapeake Bay Water Quality Project Funds. Provide funds to be credited to the Water Pollution Control Fund to be used for projects to improve the water quality of the Chesapeake Bay and other waters of the State. These funds shall be administered for the purposes listed below in accordance with §§ 9–345 through 9–351 of the Environment Article 35,125,000

(1) Biological Nutrient Removal Program. Provide not more than $29,200,000 in grants for projects to remove nutrients at publicly owned sewage treatment works;

(2) Supplemental Assistance Program. Provide not more than $5,925,000 in grants to provide assistance to grant

and loan recipients to meet the local share of construction costs. Notwithstanding §§ 9–345 through 9–351 of the Environment Article and any regulation adopted in accordance with those sections, $550,000 of these funds shall be used to provide a grant to Talbot County for the design and construction of sewer system infrastructure to support the Shore Health System Regional Medical Center;

(B) Water Supply Financial Assistance Program. Provide funds for assistance to State and local government entities to acquire, design, construct, rehabilitate, equip, and improve water supply facilities. The funds shall be administered in accordance with §§ 9–420 through 9–426 of the Environment Article and in accordance with the Code of Maryland Regulations (COMAR) 26.03.09, provided that $450,000 of these funds shall be used to provide a grant to Talbot County for the design and construction of water system infrastructure to support the Shore Health System Regional Medical Center 3,450,000

UB00 MARYLAND ENVIRONMENTAL SERVICE

(A) Infrastructure Improvement Fund. Provide funds to design, construct and equip capital improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent on the projects listed below or on previously authorized projects. Expenditure of any part of this appropriation for a previously authorized project shall also require notification to the General Assembly. Notwithstanding Section 6 of this Act, work may commence on these projects prior to appropriation of all the funds necessary to complete these projects 5,200,000

(1) Rocky Gap State Park – Wastewater Treatment Plant Improvements (Allegany County) 2,000,000

(2) Charlotte Hall Veterans Home – Wastewater Treatment Plant Improvements (St. Mary's County)... 1,700,000

(3) Southern Pre–Release Unit – Wastewater Treatment Plant Improvements (St. Mary's

County) 1,500,000

DEPARTMENT OF JUVENILE SERVICES

VE01 RESIDENTIAL SERVICES

(A) Cheltenham Youth Facility – New Detention Center. Provide funds to design and construct a new detention center at the Cheltenham Youth Facility, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Prince George's County) 21,362,000

(B) New Thomas J. S. Waxter Children's Center. Provide funds to design a replacement detention facility on the grounds of the Thomas O'Farrell Center (Carroll County) 1,670,000

WA01 DEPARTMENT OF STATE POLICE
(Statewide)

(A) Helicopter Replacement. Provide funds to acquire new helicopters to upgrade the quality of the State helicopter fleet, provided that $200,000 of general obligation bond funds may not be expended until the Maryland Department of Transportation, in conjunction with the Maryland State Police Aviation Command, has provided the budget committees with a complete cost benefit analysis of the proposals submitted for providing flight simulator training. The report shall be submitted by October 1, 2013, and the budget committees shall have 45 days to review and comment following receipt of the report 7,057,000

(B) Old Crime Lab (Headquarters Building K) – HVAC Improvements and Reconfiguration. Provide supplemental funds to design, construct, and equip the renovation and upgrade of building systems at the Old Crime Lab (Headquarters Building K) 1,612,000

(C) Tactical Services Garage. Provide funds to design, construct and equip a tactical services garage at the Waterloo Services Complex in Jessup 1,174,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(A) Alice Ferguson Foundation – Potomac Watershed Study Center. Provide a grant to the Board of Directors of the Alice Ferguson Foundation, Inc. for the construction of the Potomac

Watershed Study Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Prince George's County) 1,700,000

(B) Annapolis High School. Provide a grant to the Board of Education of Anne Arundel County for the design and construction of athletic facilities improvements at Annapolis High School (Anne Arundel County) ..... ~~750,000~~ *2,500,000*

(C) Baltimore County – War of 1812 Historic Sites. Provide a grant to the County Executive and County Council of Baltimore County to design and construct improvements at War of 1812 Historic Sites (Baltimore County) 250,000

(D) Baltimore Museum of Art. Provide a grant to the Board of Trustees of the Baltimore Museum of Art, Inc. to complete the renovation and reconfiguration of facilities at the Baltimore Museum of Art, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 3,500,000

(E) The Center for Parks and People at Auchentoroly Terrace. Provide a grant to the Board of Directors of Parks and People – The Foundation of Baltimore Recreation and Parks, Inc. for the construction of the Center for Parks and People at Auchentoroly Terrace at Druid Hill Park, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) ..... ~~1,000,000~~ 0

(F) Central Baltimore Partnership. Provide a grant to the Board of Directors of the Central Baltimore Partnership, Inc. to acquire and demolish blighted property in 10 central Baltimore neighborhoods, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) 3,000,000

(G) Cyber Center for Excellence. Provide a grant to the Board of Directors of the National Cryptologic Museum Foundation, Inc. for the design of the new Cyber Center for Excellence, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Anne Arundel County) 500,000

(H) East Baltimore Biotechnology Park. Provide a grant to the Mayor and City Council of the City of Baltimore to assist in funding property acquisition, demolition, and site improvements in the East Baltimore Biotechnology Park (Baltimore City) 5,000,000

(I) Eastern Shore Conservation Center. Provide a grant to the Board of Trustees of the Eastern Shore Land Conservancy, Inc. for the construction and capital equipping of the Eastern Shore Conservation Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Talbot County) 1,000,000

(J) High Performance Computing Data Center. Provide a grant to the Board of Trustees of Johns Hopkins University for the construction and capital equipping of a High Performance Computing Data Center (HPDC), provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all of the funds necessary to complete this project. Further provided that no funds may be expended until ~~a new Memorandum of Understanding (MOU) that ensures access of all 4–year public institutions of higher education is developed between Johns Hopkins University, Morgan State University (MSU), St. Mary's College of Maryland (SMCM), and the University System of Maryland (USM). The MOU shall include a provision that reduces the public universities' share of base operating costs, to the extent that is part of the revised MOU, and/or establishes a pricing structure that reduces access charges to public universities such that half of the value of the States' capital investment is recaptured through reduced operating costs and/or usage charges for MSU, SMCM, and USM institutions over a fifteen–year period~~ Johns Hopkins University develops, in consultation with the University of Maryland, College Park, a plan to provide access to Maryland's 4–year public and non–profit private institutions of higher education, including Morgan State University and the University System of Maryland. Further provided the plan shall be submitted to the budget committees, and the committees shall have 45 days to review and comment (Baltimore City) 12,000,000

(K) Hillel Center for Social Justice. Provide a grant to the Board of Directors of Hillel: The Foundation for Jewish Campus Life, Inc. for the demolition of the existing center and the design, construction, and equipping of the Hillel Center for Social

Justice, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Prince George's County) 1,000,000

(L) Intercounty Connector. Provide funds to the Maryland Transportation Authority for the construction of an east–west controlled access, tolled highway linking the US 1/I–95 corridor in Prince George's County with I–270/I–370 in Montgomery County (Montgomery and Prince George's counties) 21,475,000

(M) Kennedy Krieger Institute. Provide a grant to the Board of Directors of the Kennedy Krieger Institute, Inc. for the design and construction of a new Comprehensive Autism Center at Kennedy Krieger's East Baltimore Campus, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) 2,000,000

(N) Maryland Hall for the Creative Arts. Provide a grant to the Board of Directors of the Maryland Hall for the Creative Arts, Inc. for the construction of improvements to the Maryland Hall for the Creative Arts, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Anne Arundel County) 500,000

(O) Maryland Independent College and University Association – Johns Hopkins University. Provide a grant equal to the lesser of (i) $4,000,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Johns Hopkins University to assist in the planning, design, construction, renovation, and capital equipping of the New Academic/Research Building (Malone Hall) on the Johns Hopkins Homewood campus, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 4,000,000

(P) Maryland Independent College and University Association – Maryland Institute College of Art. Provide a grant equal to the lesser of (i) $4,000,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Maryland Institute College of Art to assist in the planning, design, construction, renovation, and capital equipping of the New Academic Building and Fox Building located at the Maryland Institute College of Art campus, subject to the requirement that the grantee provide an equal and matching fund for this purpose.

Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 4,000,000

(Q) Maryland Independent College and University Association – Hood College. Provide a grant equal to the lesser of (i) $2,500,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Hood College to assist in the planning, design, construction, renovation, and capital equipping of the Hodson Science and Technology Center and Tatem Academic Building located at the Hood College campus, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Frederick County) 2,500,000

(R) Maryland School for the Blind – LIFE (Multiple Disabilities) Education Building. Provide a grant to the Board of Directors of The Maryland School for the Blind, Inc. for the design, construction, and capital equipping of the new LIFE Education Building at The Maryland School for the Blind (Baltimore City) 5,000,000

(S) Maryland Zoo in Baltimore – Infrastructure Improvements. Provide a grant to the Board of Trustees of the Maryland Zoological Society, Inc. for the design, construction, renovation, and equipping of the African Penguin Exhibit, elephant facilities, infrastructure improvements, and life safety projects (Baltimore City) 7,000,000

(T) Mount Vernon Place Restoration. Provide a grant to the Board of Directors of the Mount Vernon Place Conservancy, Inc. to restore and rehabilitate the Washington Monument and the surrounding park areas, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 1,000,000

(U) National Aquarium in Baltimore – Explore a Shore Exhibit and Infrastructure Improvements. Provide a grant to the Board of Directors of the National Aquarium in Baltimore, Inc. to assist in the design, construction, renovation, and equipping of the Explore a Shore Exhibit and associated infrastructure improvements, subject to the requirement that the grantee provide an equal and matching fund for this

purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 5,000,000

(V) New Horizons Training Center. Provide a grant to the Board of Directors of the New Horizons Supported Services, Inc. for the construction of the New Horizons Disability Job Training and Recycling Center, located in Cheverly (Prince George's County) 200,000

(W) Ocean City Convention Center Performing Arts Venue. Provide a grant to the Maryland Stadium Authority to assist in the design and construction of the Ocean City Convention Center Performing Arts Venue, provided that the Town of Ocean City provide a matching fund in the amount of $3,500,000 for this purpose. These funds shall be administered in accordance with §§ 10–643 and 10–655 of the Economic Development Article (Worcester County) 3,500,000

(X) Port Discovery Children's Museum Renovation. Provide funds to the Board of Directors of The Baltimore Children's Museum, Inc. for the planning, design, construction, repair, renovation, and capital equipping of the Port Discovery Children's Museum (Baltimore City) 1,028,000

(Y) Prince George's Hospital System. Provide funds to the Department of Health and Mental Hygiene for the purpose of providing a grant to begin site acquisition, design, construction, and equipping of a new Regional Medical Center in Prince George's County. The Department will provide a grant to the owner/operator of the Regional Medical Center, *provided that $5,000,000 of these funds may not be expended until a Memorandum of Understanding (MOU) has been entered into between the new Prince George's County Regional Health System (PGHS), the University of Maryland, College Park (UMCP), and the University of Maryland, Baltimore (UMB) that, as part of the development and construction of the new regional medical system, includes preliminary agreements with any required State funding needed to align institutional assets in a manner that supports the viability of PGHS through the creation of joint educational programs, research collaborations, and advancements in the fields of health sciences. The MOU shall be planned in a manner that:*

(1) advances new and existing joint research efforts between UMCP and UMB and improves the health care status of citizens in the county through these programs at PGHS;

(2) increases educational opportunities in the health sciences fields; and

(3) provides the basis for increased economic development in the county.

Further provided that the budget committees shall have 45 days from the receipt of the MOU to review and comment
(Prince George's County)..... 20,000,000

(Z) Prince George's Hospital System. Provide a grant to the County Executive and County Council of Prince George's County to make capital improvements to existing health facilities within the Prince George's Hospital System (Prince George's County) 10,000,000

(AA) Sports Legends Museum Renovations. Provide a grant to the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. to begin design of the renovation of the Sports Legends Museum Exhibit (Baltimore City) 480,000

(AB) The Walters Art Museum. Provide a grant to the Board of Directors of the Walters Art Museum Foundation, Inc. for the design, construction, and renovation of the museum and its fire safety systems, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 2,500,000

(AC) Adventure Sports Center International. Provide funds to the Board of County Commissioners of Garrett County for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Adventure Sports Center International Site, including upgrading telecommunications and building new and upgrading existing infrastructure and facilities (Garrett County) ..... ~~500,000~~
1,000,000

(AD) Linwood Center. Provide funds to the Board of Directors of the Linwood Center, Inc. for the planning, design, construction, and capital equipping of a new school building at the Linwood Center (Howard County)..... 300,000

(AE) Maryland Historical Society. Provide a grant of $250,000 to the Board of Trustees of the Maryland Historical Society, Inc.

for the acquisition, planning, design, construction, renovation, and capital equipping of energy efficiency systems improvement projects to the Barr–Link complex (Baltimore City) 250,000

(AF) Cambridge Marine Terminal Redevelopment. Provide funds to the Maryland Economic Development Corporation for the design, construction, renovation, reconstruction, and capital equipping of improvements and redevelopment of the Cambridge Marine Terminal (Dorchester County). ..... ~~2,000,000~~ 1,500,000

(AG) Green Branch Athletic Complex. Provide a grant equal to the lesser of (i) ~~$2,000,000~~ $1,000,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission and the Board of Directors of the Green Branch Management Group Corp. for the acquisition, planning, design, site development, construction, repair, renovation, reconstruction, and capital equipping of the Green Branch Athletic Complex, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all of the funds necessary to complete this project. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Prince George's County) ..... ~~2,000,000~~ 1,000,000

(AH) Patricia and Arthur Modell Performing Arts Center at the Lyric. Provide a grant equal to the lesser of (i) $350,000 or (ii) the amount of the matching funds provided, to the Board of Trustees of the Lyric Foundation, Inc. for the design, construction, renovation, and capital equipping of the Patricia and Arthur Modell Performing Arts Center at the Lyric, subject to the requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust (Baltimore City)..... ~~350,000~~ 250,000

(AI) Highway and Street Improvements. Provide a grant to the County Executive and County Council of Howard County for the planning, design, construction, renovation, and capital equipping of highway and street infrastructure improvements. Provided these funds may be expended only in accordance with § 8–408 of the Transportation Article 1,000,000

(AJ) Civista Health System Emergency Generation. Provide a grant to the Board of Directors of the Civista Health, Inc. for the

planning, design, construction, renovation, and capital equipping of an emergency back-up power system at the Civista Medical Center (Charles County) 250,000

(AK) William Paca House Restoration. Provide a grant to the Board of Trustees of Historic Annapolis, Inc. for the design, construction, repair, renovation, reconstruction, and capital equipping of the William Paca House (Anne Arundel County) .. 250,000

(AL) Innovative Center for Autonomous Systems Development. Provide a grant to the Southern Maryland Navy Alliance and the Board of Commissioners of St. Mary's County to assist in the design, construction, renovation, and capital equipping of office and meeting space for the Innovative Center for Autonomous Systems Development (St. Mary's County)..... 250,000

(AM) Rescue Squad Building Conversion. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the St. Mary's County Community Development Corporation and the Board of Commissioners of St. Mary's County for the acquisition, planning, design, construction, renovation, reconstruction, and capital equipping of a sheriff's community policing center, located in Lexington Park. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (St. Mary's County)..... 125,000

(AN) Ripken Stadium Improvements. Provide a grant to the County Executive and County Council of Harford County for the design, construction, renovation, and capital equipping of improvements to Ripken Stadium (Harford County)..... 450,000

(AO) Fair Hill Race Track Improvements. Provide a grant to the Cecil County Breeder's Fair, Inc. and the Board of the Union Hospital Foundation for the design, construction, renovation, and capital equipping of infrastructure improvements at the Fair Hill Race Track (Cecil County)..... 50,000

(AP) Chesapeake Shakespeare Company's Downtown Theatre. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Chesapeake Shakespeare Company for the planning, design, repair, reconstruction, construction, renovation, and capital equipping of the Chesapeake Shakespeare Company's Downtown Theatre (Baltimore City) .. 100,000

(AQ) *Institutes for Behavior Resources. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Institutes for Behavior Resources, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Institutes for Behavior Resources (Baltimore City)..... 50,000*

(AR) *Culler Lake Stormwater Management. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Friends of Baker Park, Inc. and the Mayor and Board of Aldermen of the City of Frederick for the design, construction, renovation, and capital equipping of stormwater management projects at Culler Lake. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Frederick County)..... 125,000*

(AS) *Central High School Infrastructure Improvements. Provide a grant to the Prince George's County Board of Education for the planning, design, renovation, reconstruction, construction, and capital equipping of infrastructure improvements, including resurfacing of the roadway to the high school from Cabin Branch Road, at Central High School (Prince George's County)..... 500,000*

(AT) *The Writer's Center. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Writer's Center, Inc. for the planning, design, construction, repair, renovation, and reconstruction of The Writer's Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Montgomery County) 125,000*

(AU) *Mount Pleasant Family Life Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mount Pleasant Community Development Corporation for the design, construction, renovation, and capital equipping of the Mount Pleasant Family Life Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City) 100,000*

ZA01 MARYLAND HOSPITAL ASSOCIATION

(A) Anne Arundel Medical Center. Provide a grant to the Board of

Trustees of the Anne Arundel Medical Center to assist in the renovation of the Clatanoff Pavilion for Women's and Children's Services at the Anne Arundel Medical Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Anne Arundel County) 500,000

(B) Chester River Hospital Center. Provide a grant to the Board of Directors of the Chester River Hospital Center, Inc. to assist in the renovation and expansion of the Emergency Department at the Chester River Hospital Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Kent County) 900,000

(C) Holy Cross Hospital. Provide a grant to the Board of Trustees of Holy Cross Hospital of Silver Spring, Inc. to assist in the construction of Level IIB Perinatal Unit in the new Holy Cross Germantown Hospital, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Montgomery County) 1,300,000

(D) Johns Hopkins Bayview Medical Center. Provide a grant to the Board of Trustees of the Johns Hopkins Bayview Medical Center to assist in the renovation and expansion of the Emergency Department at the Johns Hopkins Bayview Medical Center in Baltimore City, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 975,000

(E) Kennedy Krieger Institute. Provide a grant to the Board of Directors of the Kennedy Krieger Institute, Inc. to assist in the renovation and expansion of the Pediatric Rehabilitation and Feeding Disorders Unit at the Kennedy Krieger Institute in Baltimore City, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 500,000

(F) MedStar Good Samaritan Hospital. Provide a grant to the Board of Directors of The Good Samaritan Hospital of Maryland, Inc. to assist in the expansion of the Cancer Center at MedStar Good Samaritan Hospital in Baltimore City, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 375,000

(G) Saint Agnes Hospital. Provide a grant to the Board of Directors of Saint Agnes HealthCare to assist in the renovation of existing space for the Cardiovascular Services Unit at Saint Agnes Hospital in Baltimore City, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 674,000

(H) Shore Health System. Provide a grant to the Board of Directors of Shore Health System of Maryland to assist in the renovation and expansion of the Diagnostic and Imaging Center at the Shore Health System, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Talbot County) 540,000

ZA02 LOCAL SENATE INITIATIVES

~~(A) Legislative Initiatives. Provide funds for projects of political subdivisions and nonprofit organizations~~ ..... ~~7,500,000~~

(A) Camp Woodlands Tee Pee Project. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Girl Scouts of Central Maryland, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of Lamb's Lodge at Camp Woodlands. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Statewide) *100,000*

(B) *Little Sisters of the Poor – St. Martin's Home. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Little Sisters of the Poor of Baltimore, Inc. for the planning, design, construction, renovation, reconstruction, and capital equipping of the roof and windows at St. Martin's Home. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Statewide)..... 250,000*

(C) *Maryland Artificial Reef Initiative. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Coastal Conservation Association for the acquisition, planning, design, and construction of artificial reefs, located in the Chesapeake Bay, Coastal Bay, and the Atlantic Ocean (Statewide)..... 200,000*

(D) *Maryland Food Bank Improvements. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Maryland Food Bank, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Food Bank (Statewide)..... 250,000*

(E) *Wye River Upper School. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Wye River Upper School, Inc. for the construction, repair, renovation, capital equipping, and reconstruction of the Maryland National Guard Armory into the Wye River Upper School (Statewide) 200,000*

(F) *Friends Aware Facility. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Friends Aware, Inc. for the design, construction, repair, renovation, reconstruction, and capital equipping of the Friends Aware facility (Allegany County)..... 50,000*

(G) *Mayo Civic Association Community Hall. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mayo Civic Association, Inc. for the repair, rehabilitation, and maintenance of the Mayo Civic Association Community Hall (Anne Arundel County)..... 25,000*

(H) *Meade High School Concession Stand. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Education of Anne Arundel*

County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the concession stand and bathrooms at Meade High School. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County)..... 50,000

(I) MTR Land Enhancement Project. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Maryland Therapeutic Riding, Inc. for the acquisition, planning, design, renovation, and capital equipping of the Maryland Therapeutic Riding Facility and related property. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Anne Arundel County) 100,000

(J) National Electronics Museum. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Electronics Museum, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of an exhibit at and exterior of the National Electronics Museum. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Anne Arundel County).... 100,000

(K) Baltimore Curriculum Project. Provide a grant equal to the lesser of (i) $55,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Baltimore Curriculum Project, Inc. for the planning, design, construction, and capital equipping of the City Springs School Community Athletic Complex. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City) 55,000

(L) Baltimore Design School. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Fashion, Architecture and Basic Design School, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of the Baltimore Design School (Baltimore City)..... 100,000

(M) Carroll's Hundred Archaeology Project. Provide a grant of $100,000 to the Board of Directors of Carroll Park Restoration Foundation, Inc. for the planning, design, construction, reconstruction, and capital equipping of the Carroll's Hundred

Archaeology Project, subject to a requirement that the grantee provide and expend a matching fund of $62,500. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City) 100,000

(N) Chesapeake Shakespeare Company's Downtown Theatre. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Chesapeake Shakespeare Company for the planning, design, repair, renovation, reconstruction, and capital equipping of the Chesapeake Shakespeare Company's Downtown Theatre (Baltimore City)..... 25,000

(O) Fayette Street Outreach Community Center. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Fayette Street Outreach Organization, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Fayette Street Outreach Community Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)..... 125,000

(P) LAMB Community Resource Center. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of L.A.M.B., Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the LAMB Community Resource Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)..... 125,000

(Q) Leadenhall Community Outreach Center. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Leadenhall Baptist Church for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Leadenhall Community Outreach Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)..... 25,000

(R) Mattie B. Uzzle Outreach Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund

provided, to the Board of Directors of the Collington Square Non–Profit Corporation for the repair, renovation, reconstruction, and capital equipping of the Mattie B. Uzzle Outreach Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Baltimore City) *150,000*

(S) *New Creation Christian Academy Day Care Playground. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of New Creation Christian Church, Inc. for the acquisition, planning, design, construction, renovation, reconstruction, and capital equipping of a new playground at the New Creation Christian Academy Day Care. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Baltimore City)* *100,000*

(T) *Park Heights Women and Children's Center. Provide a grant equal to the lesser of (i) $175,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Gaudenzia Foundation, Inc. for the planning, design, construction, and capital equipping of the Park Heights Women and Children's Center (Baltimore City)*..... *175,000*

(U) *Ralph J. Young Early Childhood Center. Provide a grant equal to the lesser of (i) $45,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Living Classrooms Foundation, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Ralph J. Young Early Childhood Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City)* *45,000*

(V) *Revitalization of Hobbs Fitness Center. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The League for People with Disabilities, Inc. for the design, construction, renovation, and capital equipping of the Hobbs Fitness Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City)*..... *75,000*

(W) *Skatepark of Baltimore at Roosevelt Park. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Skatepark of Baltimore, Inc. for the construction and capital*

equipping of the Skatepark of Baltimore at Roosevelt Park. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Baltimore City) *75,000*

(X) *Baltimore County Humane Society. Provide a grant equal to the lesser of (i) $35,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Humane Society of Baltimore County, Inc. for the design, construction, repair, renovation, reconstruction, and capital equipping of the Baltimore County Humane Society, including upgrading the facility's electrical systems, replacing asphalt and fencing at the facility's intake kennel, constructing play yard areas, and purchasing a back–up generator. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore County)* *35,000*

(Y) *Catonsville Clubhouse Renovations. Provide a grant equal to the lesser of (i) $32,500 or (ii) the amount of the matching fund provided, to the Board of Directors of the Catonsville Community Foundation, Inc. for the construction, repair, renovation, and capital equipping of the Catonsville Clubhouse, including landscaping on the property. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore County)* *32,500*

(Z) *Catonsville Rails to Trails. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Catonsville Rails to Trails, Inc. for the planning, design, site development, construction, and capital equipping of the Short Line Trail. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore County)*..... *50,000*

(AA) *CCBC Catonsville Historic Mansion Preservation. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Community College of Baltimore County Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Catonsville Historic Mansion (Baltimore County)* *50,000*

(AB) *Comet Booster Club Bleachers and Press Box. Provide a grant equal to the lesser of (i) $62,500 or (ii) the amount of the matching fund provided, to the Board of Directors of the Catonsville Community Foundation, Inc. and the Board of*

Education of Baltimore County for the construction, repair, renovation, reconstruction, installation, and capital equipping of bleachers and a press box (Baltimore County) 62,500

(AC) Dundalk Youth Services Arts Center. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Dundalk Youth Services Center, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Dundalk Youth Services Arts Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore County) 125,000

(AD) Easter Seals Adult Day Services Center Expansion. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Easter Seals Greater Washington–Baltimore Region, Inc. for the acquisition, construction, and renovation of the Easter Seals Adult Day Services Center (Baltimore County) 125,000

(AE) Good Shepherd Center Cooling Tower. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the House of the Good Shepherd of the City of Baltimore for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Good Shepherd Center (Baltimore County) 50,000

(AF) Kingsville Volunteer Fire Company. Provide a grant equal to the lesser of (i) $145,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Kingsville Volunteer Fire Company for the construction, repair, renovation, reconstruction, and capital equipping of the Kingsville Volunteer Fire Station. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Baltimore County) 145,000

(AG) Limekilns and Log House Stabilization Project at Cromwell Valley Park. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cromwell Valley Park Council, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Limekilns and Log House at Cromwell Valley Park. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of

this Act (Baltimore County)..... 100,000

(AH) Perry Hall High School Stadium Scoreboard. Provide a grant equal to the lesser of (i) $55,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Perry Hall High School Athletic Booster Club, Inc. for the acquisition, planning, design, construction, and capital equipping of the Perry Hall High School Stadium Scoreboard (Baltimore County)..... 55,000

(AI) Youth in Transition School. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Center on Institutions and Alternatives, Inc. for the planning, design, construction, and capital equipping of the Youth in Transition School (Baltimore County)..... 50,000

(AJ) North Beach Pier Improvements. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of North Beach for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the North Beach Pier. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Calvert County)..... 250,000

(AK) Children's Aid Society Building Addition. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Charles County Children's Aid Society, Inc. for the planning, design, construction, and capital equipping of the Children's Aid Society Building Addition. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Charles County)..... 100,000

(AL) Melwood Recreation Center. Provide a grant equal to the lesser of (i) $105,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Melwood Horticultural Training Center, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of the Melwood Recreation Center, including replacing an old barn, renovating storage buildings, and replacing the HVAC system (Charles County)..... 105,000

(AM) Color on the Creek Improvements. Provide a grant equal to the lesser of (i) $20,000 or (ii) the amount of the matching fund

provided, to the Board of Directors of Friends of Carroll Creek Urban Park, Inc. for the design, construction, and capital equipping of Carroll Creek Linear Park, including enhancing water quality and general aesthetics. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Frederick County) *20,000*

(AN) *Mental Health Association Building. Provide a grant equal to the lesser of (i) $175,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mental Health Association of Frederick County, Inc. for the planning, design, construction, renovation, and capital equipping of the Mental Health Association Building. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Frederick County)* *175,000*

(AO) *The Jane Hanson National Memorial. Provide a grant equal to the lesser of (i) $35,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The John Hanson Memorial Association, Inc. for the design and construction of the Jane Hanson National Memorial. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Frederick County)*..... *35,000*

(AP) *Humane Society Animal Shelter. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Humane Society of Harford County, Inc. for the planning, design, construction, and capital equipping of an animal shelter (Harford County)*.. *150,000*

(AQ) *Blandair Regional Park. Provide a grant equal to the lesser of (i) $105,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Howard County for the planning, design, construction, repair, renovation, and capital equipping of a playground at Blandair Regional Park (Howard County)*..... *105,000*

(AR) *Historic Belmont Property Restoration. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Howard County for the repair, renovation, and capital equipping of buildings at the Historic Belmont Property (Howard County)* *125,000*

(AS) *The Arc's Homewood Road Renovation. Provide a grant equal*

to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Arc of Howard County, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Homewood Road facility (Howard County)..... 100,000

(AT) Bohrer Park Miniature Golf Course. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Gaithersburg for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of a miniature golf course at Bohrer Park (Montgomery County)..... 50,000

(AU) Falling Green at OBGC Park Renovations. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Olney Boys and Girls Community Sports Association, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the historic "Falling Green" at the Olney Boys and Girls Community Park. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County)..... 75,000

(AV) Identity House Expansion. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Identity, Inc. for the planning, design, construction, and renovation of the Identity House. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Montgomery County)..... 100,000

(AW) Ken–Gar Community Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Montgomery County for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Ken–Gar Community Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County)..... 100,000

(AX) Melvin J. Berman Hebrew Academy Restorations. Provide a grant of $100,000 to the Board of Directors of the Melvin J. Berman Hebrew Academy for the planning, design, construction, repair, renovation, reconstruction, and capital

equipping of the Melvin J. Berman Hebrew Academy, including restoring the track and field, and installing a fitness circuit, subject to a requirement that the grantee provide and expend a matching fund of $10,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County)..... 100,000

(AY) Montgomery Village Pavilion. Provide a grant equal to the lesser of (i) $30,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Montgomery Village Foundation, Inc. for the design and construction of a pavilion. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County)..... 30,000

(AZ) Potomac Community Resources Home. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Potomac Community Resources, Inc. for the construction and capital equipping of the Potomac Community Resources Home for Individuals with Developmental Differences/Intellectual Disabilities (Montgomery County) 100,000

(BA) Pyramid Atlantic Art Center Space at the Silver Spring Library. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pyramid Atlantic, Inc. for the design and construction of the Pyramid Atlantic Art Center Space at the Silver Spring Library. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County)..... 75,000

(BB) RCI Group Home Renovations. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Residential Continuum, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of RCI group homes (Montgomery County)..... 100,000

(BC) St. Luke's House and Threshold Services United Renovations. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of St. Luke's House and Threshold Services United, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of St. Luke's House,

including upgrading all residential units (Montgomery County)..... *75,000*

(BD) *Takoma Park Silver Spring Shared Use Community Kitchen. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Takoma Park Presbyterian Church for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Takoma Park Silver Spring Shared Use Community Kitchen. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County)*..... *100,000*

(BE) *The Writer's Center. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Writer's Center, Inc. for the planning, design, construction, repair, renovation, and reconstruction of The Writer's Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Montgomery County)*..... *125,000*

(BF) *Wasserman Residence Phase 2 Renovations. Provide a grant equal to the lesser of (i) $225,000 or (ii) the amount of the matching fund provided, to the Board of Governors of Charles E. Smith Life Communities for the design, construction, repair, renovation, and reconstruction of the Wasserman Residence (Montgomery County)*..... *225,000*

(BG) *West Fairland Local Park Renovations. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission for the design, construction, repair, renovation, reconstruction, and capital equipping of West Fairland Local Park. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County)*..... *75,000*

(BH) *Bowie Lions Club Renovation. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Bowie Lions Club Foundation, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of the Bowie Lions Club. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Prince George's County)*..... *25,000*

(BI) *Chesapeake Math and IT Academy Gymnasium. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Chesapeake Math and IT Academy, Inc. for the design, construction, renovation, and capital equipping of the Chesapeake Math and IT Academy Gymnasium. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Prince George's County)..* *150,000*

(BJ) *Cheverly UMC Kitchen and Public Accessibility Project. Provide a grant equal to the lesser of (i) $70,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Cheverly Community Church of the Evangelical Brethren Church for the design, construction, repair, and renovation of the Cheverly UMC kitchen and social hall (Prince George's County) .....* *70,000*

(BK) *City of District Heights Senior Day Facility Expansion. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Commissioners of the City of District Heights for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the City of District Heights Senior Day Facility. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George's County).....* *100,000*

(BL) *Eagle Harbor Artesian Well Restoration. Provide a grant of $50,000 to the Mayor and Board of Town Commissioners for the Town of Eagle Harbor for the design, construction, renovation, and capital equipping of improvements to the Eagle Harbor artesian well (Prince George's County)……..* *50,000*

(BM) *Glassmanor Recreational Center Renovations. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission for the construction, repair, renovation, reconstruction, and capital equipping of the Glassmanor Recreational Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George's County) .....* *25,000*

(BN) *Holy Trinity Episcopal Day School Air–Supported Structure (Athletic & Arts Center). Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Vestry of Holy Trinity Parish for the planning, design,*

construction, and capital equipping of the Holy Trinity Episcopal Day School Air–Supported Structure (Prince George's County) *50,000*

(BO) *Lake Arbor Capital Improvements. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Lake Arbor Foundation, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of the Lake Arbor Center, including the community clubhouse. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George's County)* *50,000*

(BP) *Lake Arbor Center Water and Sewage Connection Project. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Lake Arbor Foundation, Inc. for the planning, design, construction, repair, renovation, and reconstruction of the Lake Arbor Center Water and Sewage Connection Project, including connecting the community clubhouse to public water and sewage. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George's County)* *100,000*

(BQ) *Olde Mill Community and Teaching Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Olde Mill Foundation, Inc. for the construction, renovation, and capital equipping of the Olde Mill Community and Teaching Center, including acquisition and installation of an HVAC unit, roof repair, and resurfacing of a parking lot. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Prince George's County)* *100,000*

(BR) *Potomac High School Stadium and Track Construction. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Education of Prince George's County for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Potomac High School stadium and track. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George's County)* *125,000*

(BS) *Riverdale Park Town Hall Youth and Community Wing. Provide a grant equal to the lesser of (i) $150,000 or (ii) the*

amount of the matching fund provided, to the Mayor and Town Council of the Town of Riverdale Park for the design, construction, and capital equipping of the Youth and Community Wing of the Riverdale Park Town Hall (Prince George's County) *150,000*

(BT) *St. Ann's Security Renovations. Provide a grant equal to the lesser of (i) $80,000 or (ii) the amount of the matching fund provided, to the Board of Directors of St. Ann's Center for Children, Youth, and Families for the design, planning, and renovation of the St. Ann's Center for Children, Youth, and Families. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Prince George's County)* *80,000*

(BU) *Kennard High School Restoration Project. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Kennard Alumni Association, Inc. for the repair, renovation, reconstruction, and capital equipping of Kennard High School. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Queen Anne's County)* *150,000*

(BV) *Easton Head Start Center. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Shore Up! Inc. for the construction and capital equipping of the Easton Head Start Center (Talbot County)* *50,000*

(BW) *Oxford Community Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Oxford Community Center, Inc. for the repair, renovation, and capital equipping of the Oxford Community Center (Talbot County)* *100,000*

(BX) *Lockhouse 44, Lock 44, and Western MD Railroad Lift Bridge. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the National Park Service, U.S. Department of the Interior for the planning, design, repair, and renovation of Lockhouse 44, Lock 44, and the Western Maryland Railroad Lift Bridge. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Washington County)* *100,000*

(BY) *Diakonia Housing Expansion. Provide a grant equal to the*

lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Diakonia, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Diakonia housing units. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Worcester County)..... 150,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

~~(A) Legislative Initiatives. Provide funds for projects of political subdivisions and nonprofit organizations~~ ..... ~~7,500,000~~

(A) Camp Woodlands TeePee Project. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Girl Scouts of Central Maryland, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of Lamb's Lodge at Camp Woodlands. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Statewide)..... 50,000

(B) Maryland Food Bank Improvements. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Maryland Food Bank, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Food Bank (Statewide)..... 250,000

(C) Maryland STEM Lab at Broad Creek Memorial Scout Reservation. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Baltimore Area Council Boy Scouts of America, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of the Maryland STEM Lab. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Statewide)..... 250,000

~~(D) Allegany County Animal Shelter Adoption and Care Center. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Allegany County Animal Shelter Management Foundation, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Allegany County Animal Shelter Adoption~~

~~and Care Center (Allegany County) ..... 50,000~~

(D) Friends Aware Facility. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Friends Aware, Inc. for the design, construction, repair, renovation, reconstruction, and capital equipping of the Friends Aware facility (Allegany County) 50,000

(E) MTR Land Enhancement Project. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Maryland Therapeutic Riding, Inc. for the acquisition, planning, design, renovation, and capital equipping of the Maryland Therapeutic Riding Facility and related property. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Anne Arundel County) 100,000

(F) National Electronics Museum. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Electronics Museum, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of an exhibit at and exterior of the National Electronics Museum. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Anne Arundel County) ... 100,000

(G) Southern Middle School and Southern High School Improvements. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Education of Anne Arundel County for the acquisition, design, construction, repair, renovation, reconstruction, and capital equipping of Southern Middle School and Southern High School, including installing emergency generators (Anne Arundel County) 100,000

(H) Education Based Latino Outreach ADA/Elevator Project. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Education Based Latino Outreach, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Education Based Latino Outreach ADA/Elevator Project. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City) 300,000

(I) Fayette Street Outreach Community Center. Provide a grant equal to the lesser of (i) $225,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Fayette Street Outreach Organization, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Fayette Street Outreach Community Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City) 225,000

(J) Learn'In to Live Again Project. Provide a grant equal to the lesser of (i) $105,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Learn'In to Live Again, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Learn'In to Live Again facility. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City) 105,000

(K) Liberty Rec and Tech Center. Provide a grant of $200,000, to the Board of Directors of The Howard Park Civic Association, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Liberty Rec and Tech Center, subject to a requirement that the grantee provide and expend a matching fund of $70,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City) 200,000

(L) Stone House Preservation and Rehabilitation. Provide a grant equal to the lesser of (i) $275,000 or (ii) the amount of the matching fund provided, to the Board of Directors of St. Clare of Assisi, Inc. for the planning, repair, construction, renovation, reconstruction, and capital equipping of the Stone House. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City) 275,000

(M) Catonsville Clubhouse Renovations. Provide a grant equal to the lesser of (i) $32,500 or (ii) the amount of the matching fund provided, to the Board of Directors of the Catonsville Community Foundation, Inc. for the construction, repair, renovation, and capital equipping of the Catonsville Clubhouse, including landscaping on the property. Notwithstanding Section 1(5) of this Act, the matching fund

may consist of in kind contributions (Baltimore County)..... 32,500

(N) CCBC Catonsville Historic Mansion Preservation. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Community College of Baltimore County Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Catonsville Historic Mansion (Baltimore County)..... 75,000

(O) Comet Booster Club Bleachers and Press Box. Provide a grant equal to the lesser of (i) $62,500 or (ii) the amount of the matching fund provided, to the Board of Directors of the Catonsville Community Foundation and the Board of Education of Baltimore County for the construction, repair, renovation, reconstruction, installation, and capital equipping of bleachers and a press box (Baltimore County)..... 62,500

(P) Diversified Housing Development. Provide a grant equal to the lesser of (i) $120,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Diversified Housing Development, Inc. for the acquisition, construction, repair, and renovation of the Diversified Housing Development facility (Baltimore County)..... 120,000

(Q) Dundalk Youth Services Arts Center. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Dundalk Youth Services Center, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Dundalk Youth Services Arts Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore County) 75,000

(R) Easter Seals Adult Day Services Center Expansion. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Easter Seals Greater Washington–Baltimore Region, Inc. for the acquisition, construction, and renovation of the Easter Seals Adult Day Services Center (Baltimore County)..... 125,000

(S) Good Shepherd Center Cooling Tower. Provide a grant equal to the lesser of (i) $20,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the House of the Good Shepherd of the City of Baltimore, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Good Shepherd

Center (Baltimore County) 20,000

(T) Limekilns and Log House Stabilization Project at Cromwell Valley Park. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cromwell Valley Park Council, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Limekilns and Log House at Cromwell Valley Park. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore County)..... 50,000

(U) Youth in Transition School. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Center on Institutions and Alternatives, Inc. for the planning, design, construction, and capital equipping of the Youth in Transition School (Baltimore County)..... 150,000

(V) Boys & Girls Club of Cecil County Northeast Renovation Project. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Boys & Girls Club of Cecil County, Md., Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Boys & Girls Club of Cecil County Northeast facility. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Cecil County)..... 50,000

(W) Cecil Inn Renovations. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Town Commissioners of the Town of Charlestown for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Cecil Inn. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Cecil County)..... 100,000

(X) Chesapeake Grove Senior Housing and Intergenerational Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Delmarva Community Services, Inc. for the planning, design, and construction of the Chesapeake Grove Senior Housing and Intergenerational Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Dorchester County)..... 150,000

(Y) Mental Health Association Building. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mental Health Association of Frederick County, Inc. for the planning, design, construction, renovation, and capital equipping of the Mental Health Association Building. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Frederick County) 75,000

(Z) Oakdale High School Concession Stand Construction. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Oakdale Athletic Boosters, Inc. for the acquisition, design, construction, and capital equipping of a concession stand at Oakdale High School. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Frederick County) 50,000

(AA) Havre de Grace Opera House. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Havre de Grace for the design, construction, repair, renovation, reconstruction, and capital equipping of the Havre de Grace Opera House (Harford County) 250,000

(AB) Blandair Regional Park. Provide a grant equal to the lesser of (i) $145,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Howard County for the planning, design, construction, repair, renovation, and capital equipping of a playground at Blandair Regional Park (Howard County)..... 145,000

(AC) Domestic Violence Center. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Domestic Violence Center of Howard County, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of a residential property for The Domestic Violence Center of Howard County, Inc. (Howard County)..... 200,000

(AD) Middle Patuxent Environmental Area. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Howard County for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of a restroom, storage building, and staging area at Middle Patuxent Environmental Area. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Howard County) 150,000

(AE) Vantage House Retirement Community Renovations. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Columbia Vantage House Corporation for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Vantage House Retirement Community. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Howard County) 75,000

(AF) Bohrer Park Miniature Golf Course. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Gaithersburg for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of a miniature golf course at Bohrer Park (Montgomery County).... 100,000

(AG) Identity House Expansion. Provide a grant equal to the lesser of (i) $30,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Identity, Inc. for the planning, design, construction, and renovation of the Identity House. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Montgomery County)..... 30,000

(AH) Jewish Foundation for Group Homes Renovations. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Jewish Foundation for Group Homes, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of multiple group homes within the Jewish Foundation for Group Homes, including improving structural support systems, replacing HVAC systems, installing generators, and replacing windows at 19 homes. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Montgomery County)..... 150,000

(AI) Kids International Discovery Museum. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Kids International Discovery Museum, Inc. for the planning and design of the Kids International Discovery Museum's new children's science museum (Montgomery County) 50,000

(AJ) Laytonsville District Volunteer Fire Station. Provide a grant equal to the lesser of (i) ~~$100,000~~ *$150,000* or (ii) the amount of the matching fund provided, to the Board of Directors of Laytonsville District Volunteer Fire Department, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Laytonsville District Volunteer Fire Station. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Montgomery County)..... ~~100,000~~ *150,000*

(AK) Maryland Youth Ballet Institutional Capacity Building. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Maryland Youth Ballet, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Youth Ballet Institutional Capacity Building. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County)..... 100,000

(AL) Olney Theatre Center. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Olney Theatre Center for the Arts, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of the Olney Theatre Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County) 125,000

(AM) Pyramid Atlantic Art Center Space at the Silver Spring Library. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pyramid Atlantic Art Center, Inc. for the design and construction of the Pyramid Atlantic Art Center Space at the Silver Spring Library. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County) 100,000

(AN) St. Luke's House and Threshold Services United Renovations. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of St. Luke's House and Threshold Services United, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of St. Luke's House, including upgrading all residential units (Montgomery County) 25,000

(AO) St. Luke's House Property Renovations and Repairs. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of St. Luke's House and Threshold Services United, Inc. for the construction, repair, and renovation of 31 properties belonging to St. Luke's House. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Montgomery County)..... 50,000

(AP) Takoma Park Silver Spring Shared Use Community Kitchen. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Takoma Park Presbyterian Church for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Takoma Park Silver Spring Shared Use Community Kitchen. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County) 150,000

(AQ) Wasserman Residence Phase 2 Renovations. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Governors of Charles E. Smith Life Communities for the design, construction, repair, renovation, and reconstruction of the Wasserman Residence (Montgomery County)..... 125,000

(AR) West Fairland Local Park Renovations. Provide a grant equal to the lesser of (i) ~~$100,000~~ *$50,000* or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission for the design, construction, repair, renovation, reconstruction, and capital equipping of West Fairland Local Park. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County) ..... ~~100,000~~ *50,000*

(AS) Berwyn Heights Town Administration Building and Senior Center Power Improvements. Provide a grant equal to the lesser of (i) $80,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of Berwyn Heights for the acquisition, design, construction, capital equipping, and installation of emergency generators at the Berwyn Heights Town Administration Building and Senior Center (Prince George's County)..... 80,000

(AT) Bethel Recreation Center. Provide a grant of $100,000 to the Board of Trustees of Union Bethel A.M.E. Church for the planning, design, construction, and capital equipping of the Bethel Senior Facilities, including installation of a sewer pipeline (Prince George's County) 100,000

(AU) Chesapeake Math and IT Academy Gymnasium. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Chesapeake Math and IT Academy, Inc. for the design, construction, renovation, and capital equipping of the Chesapeake Math and IT Academy Gymnasium. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Prince George's County) 100,000

(AV) Cheverly American Legion Post 108. Provide a grant of $40,000 to the Executive Committee of the Cheverly American Legion Post 108, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of the Cheverly American Legion Post 108, subject to a requirement that the grantee provide and expend a matching fund of $30,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Prince George's County) 40,000

(AW) Cheverly UMC Kitchen and Public Accessibility Project. Provide a grant equal to the lesser of (i) $80,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Cheverly Community Church of the Evangelical Brethren Church for the design, construction, repair, and renovation of the Cheverly UMC kitchen and social hall (Prince George's County)..... 80,000

(AX) City of District Heights Senior Day Facility Expansion. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Mayor and City Commissioners of the City of District Heights for the planning, design, construction, repair, renovation,

reconstruction, and capital equipping of the City of District Heights Senior Day Facility. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George's County)..... 150,000

(AY) Glassmanor Recreational Center Renovations. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission for the construction, repair, renovation, reconstruction, and capital equipping of the Glassmanor Recreational Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George's County) 100,000

(AZ) Lake Arbor Center Water and Sewage Connection Project. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Lake Arbor Foundation, Inc. for the planning, design, construction, repair, renovation, and reconstruction of the Lake Arbor Center Water and Sewage Connection Project, including connecting the community clubhouse to public water and sewage. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George's County) 100,000

(BA) Laurel Armory–Anderson & Murphy Community Center Improvements. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Laurel for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Laurel Armory–Anderson & Murphy Community Center (Prince George's County) 100,000

(BB) National Philippine Multi–Cultural Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Philippine Cultural Foundation, Inc. for the acquisition, planning, design, construction, and capital equipping of the National Philippine Multi–Cultural Center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Prince George's County) 100,000

(BC) New Revival Center of Renewal. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund

provided, to the Board of Directors of New Revival Center of Renewal, Inc. for the design, construction, renovation, and capital equipping of the New Revival Center of Renewal (Prince George's County)..... 150,000

(BD) Olde Mill Community and Teaching Center. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Olde Mill Foundation, Inc. for the construction, renovation, and capital equipping of the Olde Mill Community and Teaching Center, including acquisition and installation of an HVAC unit, roof repair, and resurfacing of a parking lot. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Prince George's County) 50,000

(BE) Palmer Park Boys & Girls Club. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Palmer Park Boys & Girls Club, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of the Palmer Park Boys & Girls Club. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Prince George's County). 50,000

(BF) Peppermill Village Community Center Renovations. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Peppermill Village Civic Association, Inc. and Maryland–National Capital Park and Planning Commission for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Peppermill Village Community Center (Prince George's County) 150,000

(BG) Pregnancy Aid Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pregnancy Aid Centers, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of improvements at and the expansion of the Pregnancy Aid Center (Prince George's County) 100,000

(BH) Riverdale Park Town Hall Youth and Community Wing. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of Riverdale Park for the design,

construction, and capital equipping of the Youth and Community Wing of the Riverdale Park Town Hall (Prince George's County) 100,000

(BI) Kennard High School Restoration Project. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Kennard Alumni Association, Inc. for the repair, renovation, reconstruction, and capital equipping of Kennard High School. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Queen Anne's County) 150,000

(BJ) Easton Head Start Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Shore Up!, Inc. for the design, construction, and capital equipping of the Easton Head Start Center (Talbot County)..... 100,000

(BK) Antietam Fire Company Renovations. Provide a grant equal to the lesser of (i) $85,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Antietam Fire Company for the construction, repair, renovation, reconstruction, and capital equipping of the Antietam Fire Company's fire house and multiuse community center. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Washington County)..... 85,000

(BL) YMCA of the Chesapeake. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of YMCA of the Chesapeake, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the YMCA of the Chesapeake facility (Wicomico County)..... 250,000

(BM) Diakonia Housing Expansion. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Diakonia, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Diakonia housing units. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Worcester County) 200,000

(4) An annual tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal of and interest on the bonds, as and when

due and until paid in full. The principal shall be discharged within 15 years after the date of issue of the bonds.

(5) (a) Prior to the payment of any matching grant funds under the provisions of Section 1(3), Items ZA00 through ZA03 above, grantees shall provide and expend matching funds as specified. No part of a grantee's matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. Except as otherwise provided, no part of the fund may consist of real property, in–kind contributions, or funds expended prior to the effective date of this Act. In case of any dispute as to what money or assets may qualify as matching funds, the Board of Public Works shall determine the matter, and the Board's decision is final. Grantees have until June 1, 2015, to present evidence satisfactory to the Board of Public Works that the matching fund will be provided. If satisfactory evidence is presented, the Board shall certify this fact to the State Treasurer and the proceeds of the loan shall be expended for the purposes provided in this Act. If this evidence is not presented by June 1, 2015, the proceeds of the loan shall be applied to the purposes authorized in § 8–129 of the State Finance and Procurement Article.

(b) It is further provided that when an equal and matching fund is specified in Section 1(3), Items ZA00 through ZA03 above, grantees shall provide a matching fund equal to the lesser of (i) the authorized amount of the State grant or (ii) the amount of the matching fund certified by the Board of Public Works. If satisfactory evidence is presented, the Board shall certify this fact and the amount of the matching fund to the State Treasurer and the proceeds of the loan equal to the amount of the matching fund shall be expended for the purposes provided in this Act. If this evidence is not presented by June 1, 2015, the proceeds of the loan shall be applied to the purposes authorized in § 8–129 of the State Finance and Procurement Article. The proceeds of any amount of the loan in excess of the matching fund certified by the Board of Public Works shall also be applied to the purposes authorized in § 8–129 of the State Finance and Procurement Article.

(6) (a) Prior to the issuance of the bonds, unless the Maryland Historical Trust determines that the property to be assisted by a grant under Section 1(3) Items ZA00 through ZA03 of this Act is not significant, is significant only as a contributing property to a historic district listed in the Maryland register of historic properties, is a type that is already adequately represented among the Trust's existing easement properties, or is already subject to a perpetual historic preservation easement acceptable to the Trust, the grantee shall grant and convey to the Maryland Historical Trust a perpetual preservation easement to the extent of its interest:

(i) on the land or such portion of the land acceptable to the Trust; and

(ii) on the exterior and interior, where appropriate, of the historic structures.

(b) If the grantee or beneficiary of the grant holds a lease on the land and structures, the Trust may accept an easement on the leasehold interest.

(c) The easement must be in form and substance acceptable to the Trust, and the extent of the interest to be encumbered must be acceptable to the Trust, and any liens or encumbrances against the land or the structures must be acceptable to the Trust.

(7) The proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2020. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2020, the amount of the unexpended or unencumbered authorization shall be canceled and be of no further force and effect. If bonds have been issued for the loan, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

(8) Multiple grants provided to the same organization in this Section are in addition to one another. Unless otherwise provided, any matching fund requirements apply to each individual grant.

(9) On or before December 31 of any year in which a payment of any funds under the provisions of this Act for the purposes of a capital project as set forth in Section 1(3) above is made and on or before December 31 of the year following a year in which payment of any funds under the provisions of this Act for the purposes set forth in Section 1(3) above is made, if the grantee is a hospital or institution of higher education that receives at least $500,000 under this Act and is not subject to the reporting requirements under § 14–305 of the State Finance and Procurement Article, the grantee shall submit a report to the Governor's Office of Minority Affairs on the extent to which the grantee has used, or will use, any part of the funds received under the provisions of this Act for contracts with minority–owned businesses and on any minority business outreach efforts.

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

Chapter 445 of the Acts of 2005, as amended by Chapter 483 of the Acts of 2010 and Chapter 444 of the Acts of 2012

Section 1(3)

UB00 *MARYLAND ENVIRONMENTAL SERVICE*

(A) *Infrastructure Improvement Fund. Provide funds to design, construct and equip capital improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent*

on the projects listed below or on previously authorized projects. Expenditure of any part of this appropriation for a previously authorized project shall also require notification to the General Assembly ..... *[2,862,000]* ***2,547,000***

(5) Eastern Correctional Institution. Construct improvements to the water tower (Somerset County) ..... *[282,000]* ***276,000***

Chapter 46 of the Acts of 2006

Section 1(3)

RB27 COPPIN STATE UNIVERSITY
(Baltimore City)

(C) Lutheran Hospital Site. Provide a portion of the funds for the demolition of structures, including the remediation and disposal of asbestos and lead paint, on the Lutheran Hospital site ..... [2,237,000] **1,912,000**

Chapter 46 of the Acts of 2006, as amended by Chapter 488 of the Acts of 2007, Chapter 485 of the Acts of 2009, and Chapter 444 of the Acts of 2012

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

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2006 in the total principal amount of [$694,315,833] **$693,990,833**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with Sections 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, Section 22 of the Code.

Chapter 488 of the Acts of 2007

Section 1(3)

DE02.01 BOARD OF PUBLIC WORKS

GENERAL STATE FACILITIES

(D) Underground Heating Oil Storage Tank Replacement Program. Provide funds to remove, replace, or upgrade State–owned underground heating oil storage tanks (Statewide) ..... **[**400,000**]** **300,000**

Chapter 488 of the Acts of 2007, as amended by Chapter 336 of the Acts of 2008

Section 1(3)

VD01 DEPARTMENT OF JUVENILE SERVICES

OFFICE OF THE SECRETARY

(A) Juvenile Services Facilities Grant Program. Provide grants to acquire, design, construct, renovate, and equip residential and nonresidential facilities. The funds appropriated for this purpose shall be administered in accordance with Article 83C, Sections 4–101 through 4–106 (Statewide) ..... **[**1,958,000**]** **931,000**

Chapter 488 of the Acts of 2007, as amended by Chapter 336 of the Acts of 2008, Chapter 485 of the Acts of 2009, Chapter 483 of the Acts of 2010, Chapter 396 of the Acts of 2011, and Chapter 444 of the Acts of 2012

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

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2007 in the total principal amount of **[**$816,645,000**]** **$815,518,000**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with Sections 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, Section 22 of the Code.

Chapter 336 of the Acts of 2008

Section 1(3)

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

QB08 WESTERN CORRECTIONAL INSTITUTION

(Allegany County)

(A) Vocational Education Building. Provide funds to design a new Vocational Education Building ..... **[**1,099,000**]** **981,000**

QP00 DIVISION OF PRE–TRIAL DETENTION AND SERVICES
(Baltimore City)

(A) New Women's Detention Facility. Provide funds for preliminary design of a new Women's Detention Facility ..... **[**5,500,000**]** **2,932,000**

ZA00 MISCELLANEOUS GRANT PROGRAMS

(R) WestSide Revitalization Project. Provide a grant to the Mayor and City Council of the City of Baltimore for property acquisition, demolition, and site improvements in the WestSide Revitalization Project **[**area, subject to the requirement that the grantee provide an equal and matching fund for this purpose**]** **AREA** (Baltimore City) 5,000,000

Chapter 336 of the Acts of 2008, as amended by Chapter 485 of the Acts of 2009

Section 1(3)

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION

(B) Capital Development Projects. Provide funds for Department of Natural Resources (DNR) Capital Development Projects initially funded in fiscal 2008. Provided that this authorization may only be used to fund the following projects: North Point State Park – Stone Revetment, Seawall, Fishing Platform; Cedarville Fish Hatchery Pipe Replacement/Pond Relining; Deep Creek Lake Bathhouse; Susquehanna State Park – Bathhouse Renovations; **[**Jane's**]** **JANES** Island State Park – Nature Center Renovations/Improvements; Point Lookout State Park – Administration Building Renovations; Black Walnut Point Natural Resources Management Area – Shore Erosion Control; Assateague State Park – Nature Center Replacement; and Pocomoke River State Park – Milburn Landing Bathhouse Replacement.

Further provided that prior to any expenditure of these funds DNR shall provide the budget committees with a letter indicating the amount of each project intended to be funded with this authorization. The budget committees shall have 45 days to review and comment upon receipt of the letter ..... **[**5,000,000**]**
4,000,000

Chapter 336 of the Acts of 2008, as amended by Chapter 396 of the Acts of 2011

Section 1(3)

MF05 OFFICE OF THE CHIEF MEDICAL EXAMINER
(Baltimore City)

(A) New Forensic Medical Center. Provide funds to construct the new Forensic Medical Center..... **[**45,307,000**]**
44,557,000

Chapter 336 of the Acts of 2008, as amended by Chapter 444 of the Acts of 2012

Section 1(3)

DE02.01 BOARD OF PUBLIC WORKS

GENERAL STATE FACILITIES

(H) Ethanol Fueling Stations. Provide funds to design and construct ethanol fueling stations (Statewide) ..... **[**438,000**]**
388,000

Chapter 336 of the Acts of 2008, as amended by Chapter 485 of the Acts of 2009, Chapter 483 of the Acts of 2010, Chapter 396 of the Acts of 2011, and Chapter 444 of the Acts of 2012

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

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2008 in the total principal amount of **[**$863,409,218**] $858,923,218**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with Sections 8–117

through 8–124 of the State Finance and Procurement Article and Article 31, Section 22 of the Code.

Chapter 485 of the Acts of 2009

Section 1(3)

DE02.01 BOARD OF PUBLIC WORKS

GENERAL STATE FACILITIES

(E)	Underground Heating Oil Storage Tank Replacement Program. Provide funds to remove, replace, or upgrade State–owned underground heating oil storage tanks (Statewide)	**[**1,368,000**]** **118,000**

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION (Statewide)

(C)	Program Open Space Capital Development. Provide funds to design, construct, and equip Department of Natural Resources capital development projects in accordance with §5–903(g) of the Natural Resources Article. Funds may only be spent on the projects listed below:		**[**4,569,877**]** **3,916,877**
	(1) Black Walnut Point Shoreline Erosion Control (Talbot County)	**[**1,653,877**]** **1,353,877**	
	(2) Janes Island Nature Center Renovations (Somerset County)	1,550,000	
	(3) Point Lookout Administration Office Renovations (St. Mary's County)	**[**1,366,000**]** **1,013,000**	

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

MF05 OFFICE OF THE CHIEF MEDICAL EXAMINER (Baltimore City)

(A) New Forensic Medical Center. Provide funds to equip the new Forensic Medical Center ..... **[**2,846,000**]**
2,093,000

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

QG00 POLICE AND CORRECTIONAL TRAINING COMMISSIONS
(Carroll County)

(A) Public Safety Education and Training Center Rifle Range Remediation. Provide funds to design and remediate the rifle range for the Firearms Training Facility at the Public Safety Education and Training Center (PSETC).

Provided that this appropriation shall be restricted until the Police and Correctional Training Commissions and the Maryland Transportation Authority (MDTA) have developed and provided the budget committees with a copy of a Memorandum of Understanding that authorizes equal access to all PSETC firing range facilities for MDTA and other PSETC users.

Further provided that it is the intent of the General Assembly that the MDTA provide an equal and matching fund for this purpose ..... **[**1,172,000**]**
922,000

QP00 DIVISION OF PRE–TRIAL DETENTION AND SERVICES
(Baltimore City)

(A) New Women's Detention Facility. Provide funds for detailed design of a New Women's Detention Facility ..... **[**5,959,000**]**
1,904,000

(B) New Youth Detention Facility. Provide funds to complete design and to construct a New Youth Detention Facility ..... **[**11,800,000**]**
~~**3,342,000**~~
3,677,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(V) WestSide Revitalization Project. Provide a grant to the Mayor and City Council of the City of Baltimore for property acquisition, demolition, and site improvements in the WestSide Revitalization Project **[**area, subject to the

requirement that the grantee provide an equal and matching fund for this purpose**]** **AREA** (Baltimore City) 2,000,000

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010

Section 1(3)

DH01 MILITARY DEPARTMENT
(Wicomico County)

(A) Salisbury Armory Renovation and Addition. Provide funds to design and construct renovations and additions to the Salisbury Armory ..... **[**3,701,000**]** **3,051,000**

Section 12(3)

ZB02 LOCAL JAILS AND DETENTION CENTERS

[(C) St. Mary's County Detention Center. Provide a grant to the Board of Commissioners of St. Mary's County to assist in the construction and equipping of the Phase I addition to the St. Mary's County Detention Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding Section 1(5) of this Act, the matching fund may include funds expended prior to the effective date of this Act (St. Mary's County)..... 5,513,000**]** **0**

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010 and Chapter 396 of the Acts of 2011

SECTION 12. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2010 in the total principal amount of **[**$143,206,000**]** **$137,198,000**. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010 and Chapter 444 of the Acts of 2012

Section 1(3)

RE01 MARYLAND SCHOOL FOR THE DEAF

(B) New Cafeteria – Frederick Campus. Provide funds to supplement previous design appropriations, to construct, and to equip a new cafeteria on the Frederick Campus (Frederick County) ..... **[**3,908,000**]**
3,708,000

Chapter 485 of the Acts of 2009, as amended by Chapter 396 of the Acts of 2011 and Chapter 444 of the Acts of 2012

Section 1(3)

QB08.01 WESTERN CORRECTIONAL INSTITUTION
(Allegany County)

(A) Vocational Education Building. Provide funds to construct and equip a new Vocational Education Building at the Western Correctional Institution ..... **[**8,166,000**]**
8,021,000

Chapter 485 of the Acts of 2009, as amended by Chapter 444 of the Acts of 2012

Section 1(3)

RE01 MARYLAND SCHOOL FOR THE DEAF

(C) Main Building Parking Lot and Athletic Field – Columbia Campus. Provide funds to construct the Main Parking Lot and Athletic Field (Howard County) ..... **[**1,136,000**]**
861,000

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010, Chapter 396 of the Acts of 2011, and Chapter 444 of the Acts of 2012

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

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2009 in the total principal amount of **[**$1,074,349,941**]** ~~**$1,057,660,941**~~ **$1,057,995,941**. This loan shall be evidenced by

the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with Sections 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Chapter 483 of the Acts of 2010

Section 1(3)

MM06 DEVELOPMENTAL DISABILITIES ADMINISTRATION
[(Howard County)**] (STATEWIDE)**

(A) Secure Evaluation and Therapeutic Treatment Center. Provide funds for preliminary design of a **[**new**]** Secure Evaluation and Therapeutic Treatment Center **(SETT) (STATEWIDE)** 1,150,000

Chapter 483 of the Acts of 2010, as amended by Chapter 396 of the Acts of 2011 and Chapter 444 of the Acts of 2012

Section 1(3)

QP00 DIVISION OF PRE–TRIAL DETENTION AND SERVICES
(Baltimore City)

(A) New Youth Detention Facility. Provide funds to construct a New Youth Detention Facility, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriations of all the funds necessary to complete this project. Further provided that no funds may be expended for construction until the Department of Public Safety and Correctional Services submits a report to the budget committees providing the findings of a new population analysis and identifying the number of beds to be provided in the New Youth Detention Facility. The budget committees shall have 45 days from the receipt of the report to review and comment. Further provided that no funds may be expended until the Department submits a report to the budget committees that evaluates the option of renovating the currently vacant Baltimore Pre–Release Unit for Women in order to accommodate the youth–charged–as–adult population. The report should evaluate the current housing, programming, medical, recreation, and education space, and identify any necessary changes. The report should also include a preliminary cost estimate and timeline for renovation, if it is determined to be a feasible option. The report shall be submitted to the budget committees no later than July 30,

2012, and the budget committees shall have 45 days from the receipt of the report to review and comment ..... **[**597,000**]**
0

Chapter 483 of the Acts of 2010, as amended by Chapter 444 of the Acts of 2012

Section 1(3)

DEPARTMENT OF JUVENILE SERVICES

VE01 RESIDENTIAL SERVICES

(A) Southern Maryland Children's Center. Provide funds for land acquisition and preliminary design of a new detention center, provided that before the Departments of Juvenile Services and General Services acquire land for a new regional detention center in Southern Maryland, the departments, in cooperation with all four local jurisdictions to be served by the center, shall submit a report to the budget committees detailing the site selection process including:

(1) site selection criteria;

(2) written appraisals;

(3) what other sites were considered and why they were rejected;

(4) the extent to which the departments have already pursued the use of publicly owned property for the site;

(5) the extent of consultation between the departments and the local governing bodies of the counties to be served by the facility; and

(6) any independent comments on the site selected from any of the four local governing bodies of the counties to be served by the facility.

Further provided that the Department of Juvenile Services has until September 1, 2012, to acquire a site for the Southern Maryland Children's Center. A report identifying the proposed location and detailing the entire site selection process undertaken by the Department in selecting the location shall be submitted to the budget committees no later than September 30, 2012.

The budget committees shall have 45 days from the receipt of the report to review and comment (Regional) ..... **[**4,650,000**]**
0

Chapter 483 of the Acts of 2010, as amended by Chapter 396 of the Acts of 2011 and Chapter 444 of the Acts of 2012

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

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2010 in the total principal amount of **[**$1,007,976,441**] $1,002,729,441**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Chapter 396 of the Acts of 2011

Section 1(3)

RB29 SALISBURY UNIVERSITY
(Wicomico County)

(A) Gymnasium Repairs and Renovation. Provide funds to design and construct repairs to the Salisbury University gymnasium ..... **[**1,500,000**]**
1,368,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(J) Maryland Independent College and University Association – Mount St. Mary's University. Provide a grant equal to the lesser of (i) $1,500,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Mount St. Mary's University to assist in the planning, design, **ENGINEERING,** construction, renovation, and capital equipping of **[**Bradley Hall**] A WASTEWATER TREATMENT PLANT** on the Mount St. Mary's campus, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Frederick County) 1,500,000

ZA01.08 SOUTHERN MARYLAND HIGHER EDUCATION CENTER
(St. Mary's County)

(A) New Classroom and Engineering Laboratory Building. Provide funds to design a third academic building in the Southern Maryland Higher Education Center campus..... [935,000] ***0***

Chapter 396 of the Acts of 2011, as amended by Chapter 444 of the Acts of 2012

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

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2011 in the total principal amount of **[**$947,052,501**]** ~~**$946,920,501**~~ ***$945,985,501***. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Chapter 444 of the Acts of 2012

Section 1(3)

DE02.02 PUBLIC SCHOOL CONSTRUCTION
(Statewide)

*(A) Public School Construction Program. Provide funds to construct public school buildings and public school capital improvements in accordance with §§ 5–301 through 5–303 of the Education Article, provided that **[**$50,000,000**]*** ***$25,000,000*** *of this appropriation shall be used to fund projects that improve the energy efficiency of schools, including improvements to HVAC systems, lighting, mechanical systems, windows and doors, and any other type of improvement that is specifically designed to improve the energy efficiency of a school building, per standards to be developed by the Interagency Committee on School Construction (IAC) in collaboration with the Maryland Energy Administration. Priority will be given to projects that maximize leverage, such as projects that only fund the incremental cost of energy efficiency improvements, as opposed to the full costs of the energy project. The funds may*

also be used to install renewable energy systems in schools, provided that $25,000,000 of this appropriation is restricted and may not be expended until the IAC submits a report to the budget committees detailing the standards that will be used to allocate funds among projects that improve the energy efficiency of schools. The budget committees shall have 45 days from the receipt of the report to review and comment.

Further provided that any school construction funds allocated to an eligible project in a county that are not spent for the project may, within two years, at the county's option be:

(1) applied to another eligible project in the current fiscal year; or

(2) reverted to the contingency fund and reserved for eligible projects in the county in the next fiscal year, which shall be in addition to new funds allocated for eligible projects in the county in the next fiscal year.

Further provided that any school construction funds reserved for a county in the contingency fund that are not encumbered within two years shall become available to be allocated to an eligible project in any county 326,393,000

MM06 DEVELOPMENTAL DISABILITIES ADMINISTRATION
(Statewide)

(D) **[**Dorsey Run –**]** Secure Evaluation and Therapeutic Treatment Center (SETT). Provide funds to complete design of **[**the new**]** **A** Secure Evaluation and Therapeutic Treatment Center (SETT), provided that no funds may be expended for project design until the Department of Health and Mental Hygiene provides the budget committees with a report that includes a detailed plan to alter the scope of the proposed SETT unit, including what the appropriate bed capacity for the facility should be. Furthermore, the report shall advise the committees on how the Department plans to utilize therapeutic treatment homes to meet its mission of serving individuals in the least restrictive setting, including whether these homes will be used as step–down units. The report shall include how many therapeutic treatment homes would be needed based on the modified size of the SETT unit, including operating costs to serve these individuals in therapeutic homes in comparison to serving individuals in the SETT unit. **[**Finally, the**]** **THE** Department shall advise on its efforts to

work with community providers to establish therapeutic treatment homes in the State. The budget committees shall have 45 days to review and comment following the receipt of the report. **FURTHER PROVIDED THAT NO FUNDS MAY BE EXPENDED FOR PROJECT DESIGN UNTIL THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE PROVIDES THE BUDGET COMMITTEES WITH A REPORT THAT PROVIDES TOTAL ESTIMATED PROJECT COSTS FOR RENOVATING AN EXISTING SETT UNIT, IN COMPARISON TO CONSTRUCTING A NEW 32–BED FACILITY, INCLUDING ESTIMATED OPERATING COSTS ASSOCIATED WITH A FULLY OPERATIONAL FACILITY. THE REPORT SHALL INDICATE HOW THE RENOVATIONS OPTION WILL ADDRESS CONCERNS RELATED TO SECURITY AND LACK OF VOCATIONAL SPACE POSED BY THE EXISTING FACILITY AND HOW RENOVATIONS TO AN EXISTING SETT UNIT WILL EFFECTIVELY MEET THE NEEDS OF THE FORENSIC POPULATION. FINALLY, THE DEPARTMENT SHALL INDICATE HOW IT PLANS TO FUND AND ADMINISTER THE EXPANSION OF COMMUNITY–BASED HOMES TO SUPPORT A CONSOLIDATED SETT UNIT, INCLUDING WHETHER PROVIDERS OPERATING THESE HOMES WILL BE REQUIRED TO MEET ADDITIONAL REGULATORY STANDARDS. THE BUDGET COMMITTEES SHALL HAVE 45 DAYS TO REVIEW AND COMMENT, FOLLOWING THE RECEIPT OF THE REPORT. [**(Howard County)**] **(STATEWIDE)** 2,150,000

RB34 UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE
[(AlleganyCounty)]
(CALVERT COUNTY)

(A) New Environmental Sustainability Research Laboratory. Provide funds to begin design of the New Environmental Sustainability Research Laboratory 1,150,000

DEPARTMENT OF JUVENILE SERVICES

VE01 RESIDENTIAL SERVICES

(A) Baltimore Regional Treatment Center. Provide funds for land acquisition for the Baltimore Regional Treatment Center, provided that the Department of Juvenile Services has until [December 31, 2012] **OCTOBER 1, 2013**, to identify [and

substantially complete negotiations for the acquisition of land**]** **FOR A SITE** for the Baltimore Regional Treatment Center. If a purchase agreement has not been substantially negotiated by **[**December 31, 2012**]** **OCTOBER 1, 2013**, this authorization shall be restricted for the sole purpose of **[**designing the Cheltenham Treatment Center on the grounds of the Cheltenham Youth Facility in Prince George's County. The Department of General Services shall submit certification to the budget committees by ~~December 31, 2012~~ **OCTOBER 1, 2013**, on the status of land acquisition. The budget committees shall have 45 days from receipt of the certification letter to review and comment**]** ~~DESIGNING, RENOVATING, CONSTRUCTING, AND EQUIPPING A NEW OR RENOVATED FACILITY FOR YOUTH CHARGED AS ADULTS IN BALTIMORE CITY~~ (Baltimore City) 3,000,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(C) Baltimore Museum of Art. Provide a grant to the Board of Trustees of the Baltimore Museum of Art, Inc. for the design, renovation, and reconfiguration of facilities at the Baltimore Museum of Art, subject to the requirement that the grantee provide an equal and matching fund for this purpose**. NOTWITHSTANDING THE PROVISIONS OF SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT** (Baltimore City) 2,500,000

(P) Prince George's Hospital System. Provide a grant to the County Executive and County Council of Prince George's County for the **DESIGN,** construction**,** and **EQUIPPING OF THE** renovation of infrastructure improvements for facilities within the Prince George's Hospital System, provided that this authorization may not be encumbered or expended until the Department of Health and Mental Hygiene, Dimensions Healthcare System, and Prince George's County submit a report to the budget committees on the proposed use of funds to improve the system. The report shall be submitted by December 31, 2012, and the budget committees shall have 45 days to review and comment. If a report has not been submitted by December 31, 2012, this authorization shall be restricted for the purposes of funding the State's share of costs for the acquisition, design, and construction of a new regional hospital center in Prince George's County (Prince George's County) 10,000,000

[SECTION 12. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2012 in total principal amount of $338,928,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

EXECUTIVE DEPARTMENT – GOVERNOR

DA03 MARYLAND STADIUM AUTHORITY

(A)	Ocean City Convention Center Expansion. Provide funds to design, construct, and equip an expansion to the Ocean City Convention Center, provided that the Town of Ocean City provide a matching fund in the amount of $3,500,000 for this purpose. These funds shall be administered in accordance with §§ 10–643 and 10–655 of the Economic Development Article (Worcester County)	3,500,000

DE02.01 BOARD OF PUBLIC WORKS

STATE GOVERNMENT CENTER – ANNAPOLIS
(Anne Arundel County)

(A)	State House – Old Senate Chamber. Provide funds to construct alterations and renovations to the State House in order to restore the Old Senate Chamber to its 18th Century appearance	5,100,000

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION

(Statewide)

(A) Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article 32,939,000

(1) Program Open Space – State Side – Prior Funds Replacement 15,093,000

(2) Program Open Space – Local – Prior Funds Replacement 17,846,000

(B) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article 9,456,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agriculture Article 12,653,000

MM06 DEVELOPMENTAL DISABILITIES ADMINISTRATION
(Statewide)

(A) Henryton Center – Abate Asbestos and Raze Buildings. Provide funds to design, abate asbestos, and demolish buildings at the Henryton Center (Carroll County) 3,050,000

QB02 DIVISION OF CORRECTION
MARYLAND HOUSE OF CORRECTION
(Anne Arundel County)

(A) Maryland House of Correction Deconstruction Project. Provide construction funds for the deconstruction of the Maryland House of Correction in Jessup 3,022,000

RB22 UNIVERSITY OF MARYLAND, COLLEGE PARK
(Prince George's County)

(A) New Bioengineering Building. Provide funds to design and construct a new Bioengineering Building 5,000,000

RB24 TOWSON UNIVERSITY
(Baltimore County)

(A) Campuswide Safety and Circulation Improvements. Provide funds to design and construct campuswide safety and circulation improvements 7,812,000

RB26 FROSTBURG STATE UNIVERSITY
(Allegany County)

(A) New Center for Communications and Information Technology. Provide funds to construct a new Center for Communications and Information Technology 4,700,000

RB27 COPPIN STATE UNIVERSITY
(Baltimore City)

(A) New Science and Technology Center. Provide funds for the construction of the New Science and Technology Center 47,050,000

RB29 SALISBURY UNIVERSITY
(Wicomico County)

(A) New Library. Provide design funds for a new Library 4,000,000

RB31 UNIVERSITY OF MARYLAND BALTIMORE COUNTY
(Baltimore County)

(A) New Performing Arts and Humanities Facility. Provide funds to construct Phase II of a new Performing Arts and Humanities Facility 30,600,000

(B) Campus Traffic Safety and Circulation Improvements. Provide funds to design and construct improvements to the campus vehicular circulation system 10,000,000

RB36 UNIVERSITY SYSTEM OF MARYLAND OFFICE
(Montgomery County)

(A) New Biomedical Sciences and Engineering Education

Building. Provide funds to design a New Biomedical Sciences and Engineering Education Building at the Shady Grove Educational Center 5,000,000

RI00 MARYLAND HIGHER EDUCATION COMMISSION
(Statewide)

(A) Community College Facilities Grant Program. Provide funds to assist the subdivisions in the acquisition of property and in the design, construction, renovation, and equipping of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11–105(j) of the Education Article 30,431,000

(1) Cecil College – Engineering and Math Building 11,682,000

(2) Anne Arundel Community College – Administration Building Renovation and Expansion 1,096,000

(3) Community College of Baltimore County – Catonsville – F Building Renovation and Expansion 12,950,000

(4) Harford Community College – New Nursing and Allied Health Building 4,703,000

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

(A) New School of Business Complex. Provide funds to construct a new School of Business Complex 43,550,000

DEPARTMENT OF JUVENILE SERVICES

VE01 RESIDENTIAL SERVICES

(A) Southern Maryland Children's Center. Provide funds to design the Southern Maryland Children's Center (Charles County) 2,068,000

WA01 DEPARTMENT OF STATE POLICE
(Statewide)

(A) Helicopter Replacement. Provide funds to acquire new helicopters to upgrade the quality of the State helicopter fleet 24,250,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(A) Intercounty Connector. Provide funds to the Maryland Transportation Authority for the construction of an east–west controlled access, tolled highway linking the US 1/I–95 corridor in Prince George's County with I–270/I–370 in Montgomery County (Montgomery and Prince George's Counties) 21,475,000

(B) Maryland School for the Blind. Provide a grant to the Board of Directors of the Maryland School for the Blind, Inc. for the construction and capital equipping of a new LIFE Education Building at the Maryland School for the Blind (Baltimore City) 5,000,000

(C) High Performance Computing Data Center. Provide a grant to the Board of Trustees of Johns Hopkins University for the design, construction, and capital equipping of a High Performance Computing Data Center to enhance the high speed data initiative funded by a grant from the National Science Foundation to Johns Hopkins University and the University of Maryland, College Park 12,000,000

ZA01.08 SOUTHERN MARYLAND HIGHER EDUCATION CENTER
(St. Mary's County)

(A) New Classroom and Engineering Laboratory Building. Provide funds to design, construct, and equip a third academic building on the Southern Maryland Higher Education Center campus 10,000,000

ZB02 LOCAL JAILS AND DETENTION CENTERS

(A) St. Mary's County Detention Center. Provide a grant to the Board of Commissioners of St. Mary's County to assist in the design, construction, and equipping of the Phase I and Phase II of the addition to the St. Mary's County Detention Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding Section 1(5) of this Act, the matching fund may include funds expended prior to the effective date of this Act (St. Mary's County) 6,266,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2020. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2020, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.**]**

[SECTION 13. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2014 in total principal amount of $104,850,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A)	Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article	18,799,000

(1) Program Open Space – State Side – Prior Funds Replacement 7,900,000

(2) Program Open Space – Local – Prior Funds Replacement 10,899,000

(B) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article 4,867,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agriculture Article 6,134,000

RB29 SALISBURY UNIVERSITY
(Wicomico County)

(A) New Library. Provide design funds for a new Library 49,000,000

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

(A) New School of Business Complex. Provide funds to construct a new School of Business Complex 3,050,000

WA01 DEPARTMENT OF STATE POLICE
(Statewide)

(A) Helicopter Replacement. Provide funds to acquire new helicopters to upgrade the quality of the State helicopter fleet 8,000,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(A) High Performance Computing Data Center. Provide a grant to the Board of Trustees of Johns Hopkins University for the design, construction, and capital equipping of a High Performance Computing Data Center to enhance the high

speed data initiative funded by a grant from the National Science Foundation to Johns Hopkins University and the University of Maryland, College Park 15,000,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2021. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2021, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.**]**

[SECTION 14. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2015 in total principal amount of $51,200,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

RB29 SALISBURY UNIVERSITY
(Wicomico County)

(A) New Library. Provide funds to construct a new Library 51,200,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2022. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2022, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.**]**

SECTION 3. AND BE IT FURTHER ENACTED, That the General Assembly declares that it is the public policy of this State to manage State general obligation bond debt in a manner that will maintain Maryland's AAA bond rating. The General Assembly further declares that legislative oversight, control, and review of all forms of State obligations are essential to maintenance of the State's existing bond rating and protection of the fiscal integrity of the State.

SECTION 4. AND BE IT FURTHER ENACTED, That, before work may commence pursuant to any supplement to any appropriation contained in this Act, satisfactory evidence must be given to the Board of Public Works that the project can be completed with the aggregate of the funds in this Act and previously appropriated for the stated purpose.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(1) with the approval of the Department of Budget and Management, any appropriation for design provided in this Act may be used to fund construction if the amount of the appropriation exceeds the amount required for design expenses, including allowances for contingencies; and

(2) with the approval of the Department of Budget and Management, any appropriation for construction provided in this Act may be used to purchase capital equipment if the amount of the appropriation exceeds the amount required for construction expenses, including allowances for contingencies.

SECTION 6. AND BE IT FURTHER ENACTED, That, except as otherwise provided in this Act, before a State agency or institution named in this Act as responsible for an individual item may begin work with funds appropriated by this Act, the agency or institution shall provide satisfactory evidence to the Board of Public Works that the work described in the individual item can be completed with the funds specified for that item.

SECTION 7. AND BE IT FURTHER ENACTED, That, with the approval of the Department of Budget and Management, any appropriation under the provisions of this Act that is in excess of the amount needed for a project may be credited to the Construction Contingency Fund under § 3–609 of the State Finance and Procurement Article.

SECTION 8. AND BE IT FURTHER ENACTED, That, if federal funds are available to help accomplish any project identified in this Act, the State agency or institution responsible for the project shall make efforts through proper administrative procedures to obtain these federal funds. Before spending any funds appropriated by this Act, the agency or institution shall certify its efforts to the Board of Public Works and state the reason for any failure to obtain federal funds. If federal funds are obtained, they shall be used to defray the costs of the project described in this Act and not to expand its scope.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(1) for any appropriation for the planning of a State–owned project provided in this Act, if a program required by § 3–602(d) of the State Finance and Procurement Article has not been submitted, the State agency or institution responsible for the project shall submit a program to the Department of Budget and Management for approval before funds may be expended from the appropriation; and

(2) for any appropriation for the construction of a State–owned project provided in this Act, if preliminary plans and outline specifications required by § 3–602(f)(2)(i) of the State Finance and Procurement Article have not been prepared, the State agency or institution responsible for the project shall submit preliminary plans and outline specifications to the Department of Budget and Management for approval before funds may be expended from the appropriation.

SECTION 10. AND BE IT FURTHER ENACTED, That no portion of the proceeds of a loan or any of the matching funds provided for a project funded under this Act may be used for the furtherance of sectarian religious instruction, or in connection with the design, acquisition, construction, or equipping of any building used or to be used as a place of sectarian religious worship or instruction, or in connection with any program or department of divinity for any religious denomination. Upon the request of the Board of Public Works, a recipient of the proceeds of a loan under this Act shall submit evidence satisfactory to the Board that none of the proceeds of the loan or any matching funds has been or is being used for a purpose prohibited by this Act.

SECTION 11. AND BE IT FURTHER ENACTED, That, the Comptroller may advance funds to any loan funds account established pursuant to a general obligation bond loan enabling Act, for any expenditure authorized by that Act, provided that if general obligation bonds have not been issued under the authority of that Act, the next ensuing sale of general obligation bonds shall include the issuance of bonds under the authority of that Act in an amount at least equivalent to the amount of the funds so advanced.

SECTION 12. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland

Consolidated Capital Bond Loan Preauthorization Act of 2014 in total principal amount of ~~$393,438,000~~ ~~*$395,438,000*~~ *$430,804,000*. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A)	Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article.....		41,635,000
	(1) Program Open Space – State Side – Prior Funds Replacement	18,872,000	
	(2) Program Open Space – Local – Prior Funds Replacement	22,763,000	
(B)	Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article		10,231,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agriculture Article 15,188,000

MM06 DEVELOPMENTAL DISABILITIES ADMINISTRATION
(Statewide)

(A) Henryton Center – Abate Asbestos and Raze Buildings. Provide funds to abate asbestos and demolish buildings at the Henryton Center (Carroll County) 3,600,000

QB06.04 *DORSEY RUN CORRECTIONAL FACILITY*
(Anne Arundel County)

(A) *560–Bed Minimum Security Compound. Provide funds to construct and equip a new 560–bed minimum security compound at Dorsey Run Correctional Facility..... 18,850,000*

UNIVERSITY SYSTEM OF MARYLAND

RB21 UNIVERSITY OF MARYLAND, BALTIMORE
(Baltimore City)

(B) Health Sciences Research Facility III and Surge Building. Provide funds to design, construct and equip a new research facility at the University of Maryland, Baltimore 49,000,000

RB24 *TOWSON UNIVERSITY*
(Baltimore County)

(A) *Softball Facility. Provide funds to design, construct, renovate, and capital equip facility improvements to the softball facility 1,500,000*

RB25 UNIVERSITY OF MARYLAND EASTERN SHORE
(Somerset County)

(A) New Engineering and Aviation Science Building. Provide funds to design and construct a new Engineering and Aviation Science Building 56,850,000

RB27 *COPPIN STATE UNIVERSITY*
(Baltimore City)

(A) *New Science and Technology Center. Provide funds to construct and equip the New Science and Technology Center ...* *6,016,000*

RB29 SALISBURY UNIVERSITY
(Wicomico County)

(A) New Academic Commons. Provide funds to complete design and construct a new Academic Commons (Library) 59,250,000

RB31 UNIVERSITY OF MARYLAND BALTIMORE COUNTY
(Baltimore County)

(A) Campus Traffic Safety and Circulation Improvements. Provide funds to design and construct improvements to the campus vehicular circulation system 10,000,000

RD00 ST. MARY'S COLLEGE OF MARYLAND
(St. Mary's County)

(A) Anne Arundel Hall Reconstruction. Provide funds to design and construct the Anne Arundel Hall Reconstruction Project .. 17,700,000

RE01 MARYLAND SCHOOL FOR THE DEAF
(Frederick County)

(A) New Fire Alarm and Emergency Notification System – Frederick Campus. Provide funds to construct and upgrade new fire alarm and emergency notification systems in buildings at the Frederick Campus of the Maryland School for the Deaf 1,700,000

RI00 MARYLAND HIGHER EDUCATION COMMISSION
(Statewide)

(A) Community College Facilities Grant Program. Provide funds to assist the subdivisions in the acquisition of property and in the design, construction, renovation, and equipping of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11–105(j) of the Education Article 66,854,000

(1) Community College of Baltimore County – Catonsville – F Building Renovation and Expansion 13,523,000

(2) Chesapeake College – Center for

Allied Health and Athletics 17,331,000

(3) College of Southern Maryland – Center for Regional Programs 2,873,000

(4) Howard Community College – New Science, Engineering, and Technology Building 20,878,000

(5) Montgomery College – Rockville Science West Building Renovation .. 12,249,000

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

(A) New School of Business Complex. Provide funds to construct a new School of Business Complex 3,000,000

(B) Soper Library Demolition. Provide construction funds for the demolition of Soper Library 2,100,000

UB00 MARYLAND ENVIRONMENTAL SERVICE

(A) Infrastructure Improvement Fund. Provide funds to design, construct and equip capital improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent on the projects listed below or on previously authorized projects. Expenditure of any part of this appropriation for a previously authorized project shall also require notification to the General Assembly 5,430,000

(1) Rocky Gap State Park – Wastewater Treatment Plant Improvements (Allegany County) 2,173,000

(2) Charlotte Hall Veterans Home – Wastewater Treatment Plant Improvements (St. Mary's County)... 1,757,000

(3) Southern Pre–Release Unit – Wastewater Treatment Plant Improvements (St. Mary's County) 1,500,000

DEPARTMENT OF JUVENILE SERVICES

VE01 RESIDENTIAL SERVICES

(A) Cheltenham Youth Facility – New Detention Center. Provide funds to construct the Cheltenham Youth Facility (Prince George's County) 31,000,000

WA01 DEPARTMENT OF STATE POLICE
(Statewide)

(A) Helicopter Replacement. Provide funds to acquire new helicopters to upgrade the quality of the State helicopter fleet 12,900,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(A) High Performance Computing Data Center. Provide a grant to the Board of Trustees of Johns Hopkins University for the construction and capital equipping of a High Performance Computing Data Center (HPDC), provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all of the funds necessary to complete this project. Further provided that no funds may be expended until ~~a new Memorandum of Understanding (MOU) that ensures access of all four-year public institutions of higher education is developed between Johns Hopkins University, Morgan State University (MSU), St. Mary's College of Maryland (SMCM), and the University System of Maryland (USM). The MOU shall include a provision that reduces the public universities' share of base operating costs, to the extent that is part of the revised MOU, and/or establishes a pricing structure that reduces access charges to public universities such that half of the value of the States' capital investment is recaptured through reduced operating costs and/or usage charges for MSU, SMCM, and USM institutions over a fifteen year period~~ Johns Hopkins University develops, in consultation with the University of Maryland, College Park, a plan to provide access to Maryland's 4–year public and nonprofit private institutions of higher education, including Morgan State University and the University System of Maryland. Further provided the plan shall be submitted to the budget committees, and the committees shall have 45 days to review and comment. (Baltimore City) ..... ~~7,000,000~~ *15,000,000*

(B) Green Branch Athletic Complex. Provide a grant equal to the

lesser of (i) ~~$2,000,000~~ $3,000,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission and the Board of Directors of the Green Branch Management Group Corp. for the acquisition, planning, design, site development, construction, repair, renovation, reconstruction, and capital equipping of the Green Branch Athletic Complex, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all of the funds necessary to complete this project. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Prince George's County)..... ~~2,000,000~~ *3,000,000*

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2021. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2021, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

SECTION 13. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2015 in total principal amount of $197,403,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A) Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article 43,718,000

(1) Program Open Space – State Side – Prior Funds Replacement 21,467,000

(2) Program Open Space – Local – Prior Funds Replacement 22,251,000

(B) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article 9,718,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agriculture Article 16,967,000

UNIVERSITY SYSTEM OF MARYLAND

RB21 UNIVERSITY OF MARYLAND, BALTIMORE
(Baltimore City)

(C) Health Sciences Research Facility III and Surge Building. Provide funds to design, construct and equip a new research facility at the University of Maryland, Baltimore 80,000,000

RB25 UNIVERSITY OF MARYLAND EASTERN SHORE

(Somerset County)

(B)	New Engineering and Aviation Science Building. Provide funds to construct and equip a new Engineering and Aviation Science Building	350,000

RB29 SALISBURY UNIVERSITY
(Wicomico County)

(A)	New Academic Commons. Provide funds to construct a new Academic Commons (Library)	37,750,000

RD00 ST. MARY'S COLLEGE OF MARYLAND
(St. Mary's County)

(A)	Anne Arundel Hall Reconstruction. Provide funds to design and construct the Anne Arundel Hall Reconstruction Project ..	8,900,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2022. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2022, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

SECTION 14. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2016 in total principal amount of $120,436,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and

delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A) Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article 42,558,000

(1) Program Open Space – State Side – Prior Funds Replacement 21,428,000

(2) Program Open Space – Local – Prior Funds Replacement 21,130,000

(B) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article 8,785,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agricultural Article 16,093,000

UNIVERSITY SYSTEM OF MARYLAND

RB21 UNIVERSITY OF MARYLAND, BALTIMORE
(Baltimore City)

(D) Health Sciences Research Facility III and Surge Building.

Provide funds to design, construct and equip a new research facility at the University of Maryland, Baltimore 53,000,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2023. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2023, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

SECTION 15. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2017 in total principal amount of $71,822,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A) Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants

shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article 44,928,000

(1) Program Open Space – State Side – Prior Funds Replacement 22,755,000

(2) Program Open Space – Local – Prior Funds Replacement 22,173,000

(B) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article 9,017,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agricultural Article 16,877,000

UNIVERSITY SYSTEM OF MARYLAND

RB21 UNIVERSITY OF MARYLAND, BALTIMORE
(Baltimore City)

(E) Health Sciences Research Facility III and Surge Building. Provide funds to design, construct and equip a new research facility at the University of Maryland, Baltimore 1,000,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2024. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2024, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

SECTION 16. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2018 in total principal amount of $74,500,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A)	Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article		47,505,000
	(1) Program Open Space – State Side – Prior Funds Replacement	24,201,000	
	(2) Program Open Space – Local – Prior Funds Replacement	23,304,000	
(B)	Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article		9,268,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agricultural Article 17,727,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2025. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2025, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

SECTION 17. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2019 in total principal amount of $37,963,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A) Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article 24,251,000

(1) Program Open Space – State Side – Prior Funds Replacement 12,378,000

(2) Program Open Space – Local – Prior Funds Replacement 11,873,000

(B) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article 4,683,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agricultural Article 9,029,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2026. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2026, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

SECTION 18. AND BE IT FURTHER ENACTED, That:

(a) (1) The revision of former Article 31, § 22 of the Code as enacted by Chapter 119 (H.B. 472) (Local Government Article) of the Acts of the General Assembly of 2013 and its reenactment by that Act as § 8–131.2 of the State Finance and Procurement Article shall have no effect with respect to the validity of any bonds authorized or issued under an enactment of the General Assembly of 2013 or any prior year, and any such bonds shall continue to be accorded the same tax–exempt status as under the former Article 31, § 22 prior to the enactment of Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013; and

(2) The changes made to former Article 31 by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013 shall have no effect with respect to the status and validity of any bonds authorized or issued under an enactment of the General Assembly of 2013 or any prior year.

(b) Any enactment of the General Assembly of 2013 or any prior year containing a reference to any provision of former Article 31 that was in effect on September 30, 2013, shall be deemed to include a reference to the corresponding provision of law as enacted by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013.

SECTION 19. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Economic Development

10–640.

(b) The Authority shall provide to the fiscal committees of the General Assembly, at least **[**90**]** **45** days before seeking approval of the Board of Public Works for each bond issue or other borrowing, a comprehensive financing plan for the relevant segment of the facility, including the effect of the financing plan on financing options for other segments of the facility.

10–641.

(c) The Authority shall provide to the fiscal committees of the General Assembly, at least **[**90**]** **45** days before seeking approval of the Board of Public Works for each bond issue or other borrowing, a comprehensive financing plan for the relevant segment of the facility, including the effect of the financing plan on financing options for other segments of the facility and anticipated revenues from private investment.

10–642.

(b) The Authority shall provide to the fiscal committees of the General Assembly, at least **[**90**] 45** days before seeking approval of the Board of Public Works for each bond issue or other borrowing, a comprehensive financing plan for the relevant segment of the facility including the effect of the financing plan on financing options for other segments of the facility.

10–643.

(b) The Authority shall provide to the fiscal committees of the General Assembly, at least **[**90**] 45** days before seeking approval of the Board of Public Works for each bond issue or other borrowing, a comprehensive financing plan for the relevant segment of the facility, including the effect of the financing plan on financing options for other segments of the facility.

10–644.

(c) The Authority shall provide to the fiscal committees of the General Assembly, at least **[**90**] 45** days before seeking approval of the Board of Public Works for each bond issue or other borrowing, a comprehensive financing plan for the relevant segment of the facility, including the effect of the financing plan on financing options for other segments of the facility and anticipated revenues from private investment.

SECTION 20. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

5–301.

(j) (1) Whether by budget bill or supplementary appropriation bill, all money appropriated to carry out the purposes of this section is a separate fund that shall be administered by the State Comptroller in accordance with the regulations adopted by the Board of Public Works.

(2) **[**(i) Except as provided in subparagraph (ii) of this paragraph, any funds approved for a project that has not been contracted for within 2 years of the approval of the project shall revert to the fund established under paragraph (1) of this subsection.

(ii) The Interagency Committee, with the approval of the Board of Public Works, may extend the time period under subparagraph (i) of this paragraph if the Interagency Committee determines that unusual circumstances exist.

(3) Any] **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, ANY** unexpended allocations of funds for previously approved projects shall be transferred to the fund established under paragraph (1) of this subsection.

(3) (I) ANY FUNDS APPROVED FOR A COUNTY FOR A PROJECT THAT HAS NOT BEEN CONTRACTED FOR WITHIN 2 YEARS OF THE APPROVAL OF THE PROJECT, SHALL BE:

1. AVAILABLE FOR ANOTHER ELIGIBLE PROJECT IN THE COUNTY IN THE CURRENT FISCAL YEAR; OR

2. RESERVED FOR ELIGIBLE PROJECTS IN THE COUNTY IN THE NEXT FISCAL YEAR, IN ADDITION TO THE NEW FUNDS ALLOCATED FOR ELIGIBLE PROJECTS IN THE COUNTY IN THE NEXT FISCAL YEAR.

(II) ANY FUNDS RESERVED UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH THAT HAVE NOT BEEN USED TO CONTRACT FOR A PROJECT WITHIN 2 YEARS OF THE DATE THE FUNDS WERE RESERVED SHALL BE AVAILABLE FOR ALLOCATION TO AN ELIGIBLE PROJECT IN ANY COUNTY.

(4) On or before March 30, June 30, September 30, and December 31 of each year, the Interagency Committee shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, and the Department of Legislative Services on the balance in the fund as of the reporting date as the result of transfers or reversions required under this subsection and any expenditures.

SECTION ~~18.~~ 21. AND BE IT FURTHER ENACTED, That the net new debt to be authorized by legislation in fiscal year 2014 may not exceed ~~$1,075,000,000~~ ~~*$1,067,543,000*~~ *$1,075,000,000* as evidenced by the following:

FY 2014 debt to be authorized by this Act	~~1,103,006,000~~ ~~1,108,184,000~~ ~~*1,100,727,000*~~ *1,109,119,000*
Subtotal	~~1,103,006,000~~ ~~1,108,184,000~~ ~~*1,100,727,000*~~ *1,109,119,000*
Reductions in previously authorized State Debt made in this bill	~~(28,006,000)~~ ~~(33,184,000)~~ *(34,119,000)*

Net new debt to be authorized in FY 2014 ..... ~~1,075,000,000~~
~~*1,067,543,000*~~
1,075,000,000

SECTION ~~19.~~ 22. AND BE IT FURTHER ENACTED, That Section 12 of this Act shall take effect June 1, 2014.

SECTION ~~20.~~ 23. AND BE IT FURTHER ENACTED, That Section 13 of this Act, shall take effect June 1, 2015.

SECTION ~~21.~~ 24. AND BE IT FURTHER ENACTED, That Section 14 of this Act, shall take effect June 1, 2016.

SECTION ~~22.~~ 25. AND BE IT FURTHER ENACTED, That Section 15 of this Act, shall take effect June 1, 2017.

SECTION ~~23.~~ 26. AND BE IT FURTHER ENACTED, That Section 16 of this Act, shall take effect June 1, 2018.

SECTION ~~24.~~ 27. AND BE IT FURTHER ENACTED, That Section 17 of this Act, shall take effect June 1, 2019.

SECTION ~~25.~~ 28. AND BE IT FURTHER ENACTED, That, except as provided in Sections 19, 20, 21, 22, 23, ~~and~~ 24, 25, 26, and 27 of this Act, this Act shall take effect June 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 425

(House Bill 102)

AN ACT concerning

Budget Reconciliation and Financing Act of 2013

FOR the purpose of altering the frequency with which certain payments from a certain special fund are required to be paid; requiring the reduction of certain grants and payments under certain circumstances; ~~repealing certain requirements for a certain notice relating to abandoned property to be published in certain newspapers; requiring the Comptroller to maintain, or cause to be maintained, an abandoned property database containing the names and last known addresses, if any, of persons listed in certain reports; requiring the Comptroller to maintain, or cause to be maintained, a certain Internet Web site relating to~~

~~the abandoned property database; requiring the Comptroller to publish certain notices of a certain Internet Web site;~~ providing that a certain District Court surcharge shall be added to fines imposed for certain traffic cases and not to court costs; *providing that certain regulations and licensing requirements of the State Lottery and Gaming Control Commission supersede certain county fees or regulations and licensing requirements;* ~~requiring a certain arrest – citation form to include a line to add a certain surcharge; requiring a police officer to add a certain surcharge to a certain fine on a certain traffic citation; requiring the Comptroller to annually pay a certain surcharge in a certain manner;~~ *providing that a certain supplemental grant to a certain county board of education may not be less than a certain amount; providing certain grants to certain county boards of education under certain circumstances;* altering certain circumstances under which a county board of education is required to reimburse the Department of Juvenile Services; altering or repealing certain required appropriations; providing for the applicability of certain provisions of law relating to a statewide information technology master plan to certain projects that involve certain agreements with certain public institutions of higher education; repealing the requirement that certain licensed veterans' organizations purchase or lease certain instant ticket lottery machines from the State Lottery and Gaming Control Agency; *altering a certain maximum fee for commissioning a notary public; altering a certain maximum fee that may be set for certain notarial acts;* altering the distribution of certain revenue; providing for the transfer of certain funds for certain purposes; altering a certain requirement that the Health Services Cost Review Commission and the Department of Health and Mental Hygiene adopt certain policies to provide a certain combined amount in revenues and savings so as to place a limit on the combined amount of revenues and savings beginning in a certain fiscal year; providing that for certain fiscal years certain savings from the adoption of certain policies may be used to offset certain hospital assessment and remittance revenue in a certain year; repealing certain reporting requirements; providing for the expiration of certain tax credits under certain circumstances; requiring the Director of the Maryland Historical Trust to notify certain persons and, on or before a certain date, to submit a certain report to the Comptroller; *altering certain required transfers of funds; requiring the reversion of certain funds to the Fair Campaign Financing Fund under certain circumstances; altering the calculation of certain State distributions made to certain counties and Baltimore City based on per capita yield of county income taxes; altering the minimum rate for the county income tax for a county to qualify for a certain grant; repealing a certain obsolete provision;* ~~repealing certain credits allowed against certain taxes for the purchase of Maryland-mined coal;~~ *allowing an individual or corporation a credit against the State income tax for the expense of registering certain qualified vehicles; providing for the amount of the credit;* setting certain limits in increases in payments to certain providers for a certain fiscal year; requiring the Department of Health and Mental Hygiene to achieve certain savings from certain rates; requiring the Health Services Cost Review Commission to conduct a certain study in a certain manner; requiring the Medicaid Program to provide certain information under certain circumstances; providing certain criteria for a

certain study; requiring that a certain report be provided to the Governor and General Assembly on or before a certain date; requiring that the Commission take certain actions to provide certain General Fund savings; restricting the use of certain appropriations for a certain fiscal year; requiring the reversion to the General Fund of certain funding under certain circumstances; *prohibiting merit increases for State employees before a certain date, except under certain circumstances; requiring certain reports to be submitted to certain committees of the General Assembly on or before a certain date; requiring the Secretary of the Environment to convene a certain workgroup and to make a certain report; requiring the Comptroller to make certain income tax distributions without making certain adjustments; requiring the Comptroller to submit a report on a certain account and certain interest imposed on tax deficiencies and refunds on or before a certain date; prohibiting the reversion to the General Fund of certain funds under certain circumstances;* defining certain terms; making a technical correction; ~~making conforming changes;~~ making the provisions of this Act severable; *providing for the application of certain provisions of this Act; making certain provisions of this Act subject to a certain contingency; providing for the effective dates of certain provisions of this Act; providing for the termination of certain provisions of this Act;* and generally relating to the financing of State and local government.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–404(a) and 11–404.1
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

~~BY repealing~~
~~Article – Commercial Law~~
~~Section 17–311(a), (b), and (c)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2012 Supplement)~~

~~BY adding to~~
~~Article – Commercial Law~~
~~Section 17–311(a), (b), and (c)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section ~~1–605(d)(8) and~~ 7–301(a)(1) and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Economic Development~~

~~Section 4–801(f)~~
~~Annotated Code of Maryland~~
~~(2008 Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–301.1(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section *5–202(e) and (i) and* 22–306.1(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(a)(2)(v)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–302
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–112(d)(4), *18–103(e)(3), and 18–112*
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section ~~2–202(a) and~~ 2–606(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Tax – General
Section 2–606(g) *and 10–733*
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 13–209(g)(1)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Tax – Property
Section 13–209(h)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

~~BY repealing~~
~~Article – Tax – General~~
~~Section 8–406(b) and 10–704.1~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2012 Supplement)~~

~~BY adding to~~
~~Article – Transportation~~
~~Section 27–101.3~~
~~Annotated Code of Maryland~~
~~(2012 Replacement Volume)~~

BY repealing and reenacting, with amendments,
Chapter 76 of the Acts of the General Assembly of 2004
Section 2 1.(h)

BY repealing and reenacting, with amendments,
Chapter 397 of the Acts of the General Assembly of 2011
Section 16

BY repealing and reenacting, with amendments,
Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter 484 of the Acts of the General Assembly of 2010
Section 38(b)

BY repealing and reenacting, without amendments,
Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter 484 of the Acts of the General Assembly of 2010 and Chapters 292 and 293 of the Acts of the General Assembly of 2011
Section 38(a) and (c)

BY adding to
Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter 484 of the Acts of the General Assembly of 2010 and Chapters 292 and 293 of the Acts of the General Assembly of 2011
Section 38(m)

BY repealing and reenacting, with amendments,
Chapter 1 of the Acts of the First Special Session of the General Assembly of 2012
Section 9

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101(b)(2) and (3) and (d)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Local Government
Section 16–501(a) and (c)(3)
Annotated Code of Maryland
(As enacted by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 16–501(b) and (e)
Annotated Code of Maryland
(As enacted by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013)

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

Article – Business Regulation

11–404.

(a) (1) To help pay for facilities and services in communities within 2 miles of the Pimlico Race Course or 3 miles of the Laurel Race Course, the Comptroller shall pay money to Baltimore City, the City of Laurel, and Anne Arundel and Howard counties in accordance with this section.

(2) The money shall be paid from the Special Fund in **[**half–yearly installments**]** **AN ANNUAL GRANT**.

11–404.1.

(A) IF IN ANY FISCAL YEAR REVENUES TO THE SPECIAL FUND ESTABLISHED UNDER § 11–402 OF THIS SUBTITLE ARE INSUFFICIENT TO FULLY FUND ALL GRANTS REQUIRED UNDER §§ 11–403 AND 11–404 OF THIS SUBTITLE, THE COMPTROLLER SHALL PROPORTIONALLY REDUCE THE AMOUNT OF PAYMENTS REQUIRED UNDER §§ 11–403(A)(2) AND (4), 11–403(B)(2), AND 11–404 OF THIS SUBTITLE.

(B) [After all**] IF IN ANY FISCAL YEAR REVENUES TO THE SPECIAL FUND ESTABLISHED UNDER § 11–402 OF THIS SUBTITLE ARE SUFFICIENT TO FULLY FUND ALL GRANTS REQUIRED UNDER §§ 11–403 AND 11–404 OF THIS SUBTITLE, AFTER ALL REQUIRED** deductions from the Special Fund **[**as required under §§ 11–403 and 11–404 of this subtitle**]** are made, the Comptroller shall pay from the Special Fund an annual grant of:

(1) $300,000 to be allocated in the following way:

(i) 70% to the Maryland–Bred Race Fund; and

(ii) 30% to the Maryland Standardbred Race Fund, to be divided equally between the Sire Stakes Program and the Foaled Stakes Program; and

(2) $260,000 to the Maryland Agricultural Education and Rural Development Assistance Fund established under § 2–206 of the State Finance and Procurement Article, with $130,000 to be allocated to support the operations of the Rural Maryland Council.

~~**Article – Commercial Law**~~

~~17–311.~~

~~**[**(a) (1) Within 365 days from the filing of the report required by § 17–310 of this subtitle, the Administrator shall cause notice to be published in a newspaper of general circulation in the county in the State within which is located the last known address of any person to be named in the notice.~~

~~(2) If an address is not listed or if the address is outside the State, the notice shall be published in the county within which the person who held the abandoned property has the principal place of business in this State.**]**~~

~~**(A) IN THIS SECTION, "ABANDONED PROPERTY DATABASE" MEANS AN ELECTRONIC DATABASE CONTAINING THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY.**~~

~~[(b) The published notice shall be entitled "Notice of Names of Persons Appearing to Be Owners of Abandoned Property" and shall contain:~~

~~(1) The names in alphabetical order and last known addresses, if any, of persons listed in the report and entitled to notice in the county specified in this section;~~

~~(2) A statement that information concerning the amount or description of the property and the name and address of the person who held the property may be obtained by any person who possesses an interest in the property, by addressing an inquiry to the Administrator; and~~

~~(3) A statement that a proof of claim may be presented by the owner to the Administrator.]~~

~~(B) (1) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE MAINTAINED, AN ABANDONED PROPERTY DATABASE.~~

~~(2) WITHIN 365 DAYS AFTER THE FILING OF A REPORT REQUIRED BY § 17–310 OF THIS SUBTITLE, THE ADMINISTRATOR SHALL ADD TO THE ABANDONED PROPERTY DATABASE THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS LISTED IN THE REPORT.~~

~~(3) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE MAINTAINED, AN INTERNET WEB SITE THAT:~~

~~(I) PROVIDES REASONABLE MEANS BY WHICH A PERSON MAY SEARCH THE ABANDONED PROPERTY DATABASE REQUIRED BY THIS SUBSECTION;~~

~~(II) CONTAINS A STATEMENT THAT INFORMATION CONCERNING THE AMOUNT OR DESCRIPTION OF THE PROPERTY AND THE NAME AND ADDRESS OF THE PERSON WHO HELD THE PROPERTY MAY BE OBTAINED BY ANY PERSON WHO POSSESSES AN INTEREST IN THE PROPERTY, BY ADDRESSING AN INQUIRY TO THE ADMINISTRATOR;~~

~~(III) CONTAINS A STATEMENT THAT A PROOF OF CLAIM MAY BE PRESENTED BY THE OWNER TO THE ADMINISTRATOR; AND~~

~~(IV) INCLUDES A LINK TO AN ABANDONED PROPERTY CLAIM FORM.~~

~~[(c) The Administrator is not required to publish in the notice any item valued at less than $100 unless the Administrator considers the publication to be in the public interest.]~~

~~(C) (1) THE ADMINISTRATOR SHALL PUBLISH NOTICE OF THE INTERNET WEB SITE REQUIRED BY SUBSECTION (B)(3) OF THIS SECTION.~~

~~(2) THE NOTICE SHALL:~~

~~(I) BE PUBLISHED AT LEAST ONCE EACH CALENDAR QUARTER IN ONE OR MORE NEWSPAPERS OF GENERAL CIRCULATION IN EACH COUNTY OF THE STATE; AND~~

~~(II) CONTAIN:~~

~~1. A STATEMENT THAT THE ADMINISTRATOR MAINTAINS RECORDS OF THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY;~~

~~2. A STATEMENT THAT ANY PERSON MAY SEARCH THE ADMINISTRATOR'S ABANDONED PROPERTY RECORDS THROUGH THE ADMINISTRATOR'S INTERNET WEB SITE; AND~~

~~3. THE ADDRESS OF THE INTERNET WEB SITE.~~

Article – Courts and Judicial Proceedings

~~1–605.~~

~~(d) In addition to the powers and duties granted and imposed in subsections (a), (b), and (c) of this section, or elsewhere by law or rule, the Chief Judge of the District Court shall:~~

~~(8) After consultation with police administrators and the Motor Vehicle Administrator, design arrest – citation forms that shall [be]:~~

~~(I) BE used by all law enforcement agencies in the State when charging a person with a criminal, civil, or traffic offense, except for:~~

~~[(i)] 1. Violations by juveniles listed in § 3–8A–33(a) of this article;~~

~~[(ii)] 2. Violations of parking ordinances or regulations adopted under Title 26, Subtitle 3 of the Transportation Article; and~~

~~[(iii)] 3. Other violations as expressly provided by law; AND~~

~~(II) INCLUDE A LINE ON WHICH TO ADD THE $7.50 SURCHARGE ASSESSED UNDER § 27–101.3 OF THE TRANSPORTATION ARTICLE;~~

7–301.

(a) (1) Except as provided in paragraphs (2) and (3) of this subsection, the court costs in a traffic case, including parking and impounding cases, cases under § 21–202.1, § 21–809, § 21–810, or § 24–111.3 of the Transportation Article in which costs are imposed, and cases under § 10–112 of the Criminal Law Article in which costs are imposed:

(i) Are $22.50 **[**plus the surcharge under subsection (f) of this section**]**; and

(ii) Shall also be applicable to those cases in which the defendant's right to trial and pay the fine or penalty deposit established by the Chief Judge of the District Court by administrative regulation.

(f) (1) This subsection does not apply to a traffic case under § 21–202.1, § 21–809, or § 21–810 of the Transportation Article or to a parking or impounding case.

(2) In a traffic case under subsection (a)(1) of this section the court shall add a $7.50 surcharge to **[**the court costs**]** **ANY FINE** imposed by the court.

(3) (i) The Comptroller annually shall credit the surcharges collected under this subsection as provided in this paragraph.

(ii) An amount annually as set forth in the State budget shall be distributed for the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program as established in § 18–603 of the Education Article.

(iii) After the distribution under subparagraph (ii) of this paragraph, $200,000 shall be distributed to the Maryland State Firemen's Association.

(iv) After the distribution under subparagraphs (ii) and (iii) of this paragraph and until a total of $20,000,000 has been distributed to the Volunteer Company Assistance Fund since the establishment of the surcharge under this subsection, the remainder shall be credited to the Volunteer Company Assistance Fund to be used in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article.

(v) After a total of $20,000,000 has been distributed to the Volunteer Company Assistance Fund, 100% of the remainder shall be credited to the Maryland Emergency Medical **[**Systems Operation**]** **SYSTEM OPERATIONS** Fund established under § 13–955 of the Transportation Article.

(vi) On or before September 1 of each year until $20,000,000 has been distributed to the Volunteer Company Assistance Fund, the State Court Administrator shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2–1246 of the State Government Article, on the amount of revenue distributed to the Volunteer Company Assistance Fund under this paragraph.

Article – Criminal Law

12–301.1.

(d) ***(1)*** *The Commission may determine:*

[*(1)****]*** ***(I)*** *that a county's licensing and regulatory process for electronic gaming devices is equivalent to the State licensing and regulatory process required under this section; and*

[*(2)****]*** ***(II)*** *that a county license for owning, operating, or manufacturing an electronic gaming device in that county is equivalent to a State license.*

(2) IF THE COMMISSION DOES NOT MAKE A DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE REGULATIONS AND LICENSING REQUIREMENTS OF THE COMMISSION SHALL SUPERSEDE:

(I) THE APPLICATION OF ANY COUNTY FEES OR REGULATIONS AND LICENSING REQUIREMENTS FOR ELECTRONIC GAMING DEVICES UNDER THIS SUBSECTION; OR

(II) A REQUIREMENT FOR A COUNTY LICENSE FOR OWNING, OPERATING, OR MANUFACTURING AN ELECTRONIC GAMING DEVICE UNDER THIS SUBSECTION.

~~**Article – Economic Development**~~

~~4–801.~~

~~(f) The Fund consists of~~**[**~~:~~

~~(1) revenue distributed to the Fund under § 2–202(a)(1)(ii) of the Tax – General Article; and~~

~~(2)~~**]** ~~any~~ **[**~~other~~**]** ~~money from any~~ **[**~~other~~**]** ~~source accepted for the benefit of the Fund.~~

Article – Education

5–202.

(e) (1) In this subsection, "State financial assistance for public education" means the total financial assistance provided by the State to a county board under the following programs:

(i) Funding for the foundation program under this section;

(ii) In fiscal year 2009, 50% of the funding received under the GCEI adjustment grant program under subsection (f) of this section and in fiscal year 2010, 60% of the funding received under the GCEI adjustment grant program under subsection (f) of this section;

(iii) Transportation aid under § 5–205 of this subtitle;

(iv) Funding for compensatory education under § 5–207 of this subtitle;

(v) Funding for students with limited English proficiency under § 5–208 of this subtitle;

(vi) Funding for special education students under § 5–209 of this subtitle;

(vii) Funding for the guaranteed tax base program under § 5–210 of this subtitle;

(viii) 50% of the State payments for retirement contributions for employees of a local school system in accordance with the provisions of Division II of the State Personnel and Pensions Article; and

(ix) Funding for supplemental grants under this subsection.

(2) (i) For fiscal years 2009 and 2010 only, the State shall provide a supplemental grant to a county board that does not receive at least a 1% increase in State financial assistance for public education over the amount received by the county board in the previous fiscal year.

(ii) The supplemental grant under this paragraph shall be the amount necessary to increase a county board's State financial assistance for public education by 1% over the amount received by the county board in the previous fiscal year.

(3) ***(I)*** *[For]* ***SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR*** *fiscal year 2011, and each fiscal year thereafter, a county board*

shall receive a supplemental grant equal to the amount the county board received under paragraph (2) of this subsection in the prior fiscal year.

(II) A SUPPLEMENTAL GRANT MAY NOT BE LESS THAN ZERO.

(i) (1) In this subsection, "total direct education aid" means the total financial assistance provided by the State to a county board under the following programs:

(i) Funding for the foundation program including funds for the Geographic Cost of Education under this section;

(ii) Transportation aid under § 5–205 of this subtitle;

(iii) Funding for compensatory education under § 5–207 of this subtitle;

(iv) Funding for students with limited English proficiency under § 5–208 of this subtitle;

(v) Funding for special education students under § 5–209 of this subtitle;

(vi) Funding for the guaranteed tax base program under § 5–210 of this subtitle; and

(vii) Funding for grants provided under this subsection.

(2) For fiscal year 2012 only, if a county board's total direct education aid in the current fiscal year is less than the prior fiscal year by more than 6.5%, then the State shall provide a grant to the county board in an amount necessary to ensure that a decrease in total direct education aid is not more than 6.5%.

(3) For fiscal year 2013 only, if a county board's total direct education aid in the current fiscal year is less than the prior fiscal year by more than 5%, then the State shall provide a grant to the county board in an amount necessary to ensure that a decrease in total direct education aid is not more than 5%.

(4) FOR FISCAL YEAR 2014 ONLY, IF A COUNTY BOARD'S TOTAL DIRECT EDUCATION AID IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR FISCAL YEAR BY MORE THAN 1%, THEN THE STATE SHALL PROVIDE A GRANT TO THE COUNTY BOARD EQUAL TO 25% OF THE DECREASE IN TOTAL DIRECT EDUCATION AID FROM THE PRIOR FISCAL YEAR TO THE CURRENT FISCAL YEAR.

22–306.1.

(b) A county board shall reimburse the Department of Juvenile Services the amount of the basic cost calculated under subsection (a) of this section for each child who was domiciled in the county prior to the placement if the child:

(1) Is **[**committed to the Department of Juvenile Services and is**]** in a **[**program at a**]** facility or a residential facility;

(2) Is **[**not**]** in detention **[**or awaiting placement after disposition**]** **FOR 15 CONSECUTIVE DAYS OR MORE**;

(3) Does not meet the criteria for shared State and local payment of educational costs as provided in §§ 8–406 and 8–415 of this article; and

(4) Was included in the full–time equivalent enrollment of the county as calculated under § 5–202 of this article.

Article – Natural Resources

5–903.

(a) (2) (v) For each of fiscal years 2010 through **[**2013**]** **2015**, $1,217,000 of the State's share of funds available under subparagraph (i)1A of this paragraph may be appropriated in the budgets of the Department, the Department of General Services, and the Department of Planning for expenses necessary to administer this Program.

Article – State Finance and Procurement

3A–302.

(a) This subtitle does not apply to changes relating to or the purchase, lease, or rental of information technology by:

(1) public institutions of higher education solely for academic or research purposes;

(2) the Maryland Port Administration;

(3) the University System of Maryland;

(4) St. Mary's College of Maryland; or

(5) Morgan State University.

(B) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, THIS SUBTITLE APPLIES TO ANY PROJECT OF A UNIT OF THE EXECUTIVE BRANCH OF

STATE GOVERNMENT THAT INVOLVES AN AGREEMENT WITH A PUBLIC INSTITUTION OF HIGHER EDUCATION FOR A PORTION OF THE DEVELOPMENT OF THE PROJECT, WHETHER THE WORK ON THE DEVELOPMENT IS DONE DIRECTLY OR INDIRECTLY BY THE PUBLIC INSTITUTION OF HIGHER EDUCATION.

[(b)**]** **(C)** Notwithstanding any other provision of law, except as provided in subsection (a) of this section and §§ 3A–307(a)(2), 3A–308, and 3A–309 of this subtitle, this subtitle applies to all units of the Executive Branch of State government including public institutions of higher education other than Morgan State University, the University System of Maryland, and St. Mary's College of Maryland.

Article – State Government

9–112.

(d) (4) (i) Subject to subparagraph (ii) of this paragraph, a veterans' organization issued a license under this subsection shall purchase or lease **[**from the Agency**]** the instant ticket lottery machines to be used by the veterans' organization.

(ii) An organization may not use receipts from the sale of tickets from instant ticket lottery machines that would otherwise be credited to the State Lottery Fund for the costs of purchasing or leasing instant ticket lottery machines.

18–103.

(e) (3) Each notary shall pay to the clerk:

(i) a fee of $1 for qualifying the notary and registering the name, address, and commission expiration date of the notary; and

*(ii) a fee of **[**$10**]** **$11** or a lesser amount as prescribed by the Secretary of State for the commission issued.*

18–112.

*(a) The Secretary of State shall adopt regulations to establish fees, not to exceed **[**$2**]** **$4** for an original notarial act, and an appropriate lesser amount for the repetition of that original notarial act or to make a copy of the matter addressed by that original notarial act.*

(b) A notary public may charge 19 cents per mile, or a higher amount set by regulation of the Secretary of State, and a fee not to exceed $5, as compensation for travel required for the performance of a notarial act.

Article – Tax – General

~~2–202.~~

~~(a) After making the distribution required under § 2–201 of this subtitle, within 20 days after the end of each quarter, the Comptroller shall distribute:~~

~~(1) except as provided in subsection (b) of this section, from the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars under § 4–102(e) of this article~~**[**~~:~~

~~(i)~~**]**~~, the revenue attributable to a tax rate of~~ **[**~~20%~~**]** ~~**25%** to the General Fund of the State; and~~

[~~(ii) the revenue attributable to a tax rate of 5% to the Special Fund for Preservation of Cultural Arts in Maryland, as provided in § 4–801 of the Economic Development Article; and~~**]**

~~(2) the remaining admissions and amusement tax revenue:~~

~~(i) to the Maryland Stadium Authority, county, or municipal corporation that is the source of the revenue; or~~

~~(ii) if the Maryland Stadium Authority and also a county or municipal corporation tax a reduced charge or free admission:~~

~~1. 80% of that revenue to the Authority; and~~

~~2. 20% to the county or municipal corporation.~~

2–606.

(e) **[**(1)**]** On or before June 30, 2010, the Comptroller shall distribute $350,000,000 from the Local Reserve Account established to comply with this section to the Education Trust Fund established under § 9–1A–30 of the State Government Article.

[(2) In each of fiscal years 2014 through 2020, the State shall pay to the Local Reserve Account $50,000,000 to repay the $350,000,000 transfer to the Education Trust Fund authorized under paragraph (1) of this subsection.**]**

(G) (1) ON OR BEFORE JUNE 30, 2013, THE COMPTROLLER SHALL DISTRIBUTE $15,379,979 FROM THE LOCAL RESERVE ACCOUNT ESTABLISHED TO COMPLY WITH THIS SECTION TO A SPECIAL FUND ESTABLISHED IN THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROVIDING TRANSPORTATION GRANTS TO MUNICIPALITIES.

(2) THE GRANTS AUTHORIZED UNDER THIS SUBSECTION SHALL BE ALLOCATED TO ELIGIBLE MUNICIPALITIES AS PROVIDED IN § 8–405 OF THE TRANSPORTATION ARTICLE.

Article – Tax – Property

13–209.

(g) (1) Notwithstanding § 7–311(j) of the State Finance and Procurement Article, subject to paragraph (3) of this subsection, for fiscal year **[**2012**] 2016** and for each subsequent fiscal year, if the unappropriated General Fund surplus as of June 30 of the second preceding year exceeds $10,000,000, the Governor shall include in the budget bill a General Fund appropriation to the special fund under subsection (a) of this section in an amount equal to at least the lesser of $50,000,000 or the excess surplus over $10,000,000.

(H) (1) THE DISTRIBUTIONS REQUIRED UNDER THIS ~~SECTION~~ *SUBSECTION* MAY NOT BE UTILIZED OR CONSIDERED FOR THE PURPOSES OF CALCULATING ANY ALLOCATION OR APPROPRIATION UNDER SUBSECTION (F) OR (G) OF THIS SECTION.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE GOVERNOR MAY TRANSFER FUNDS FROM THE SPECIAL FUND ESTABLISHED UNDER THIS SECTION TO THE GENERAL FUND AS FOLLOWS:

(I) ON OR BEFORE JUNE 30, 2014, $89,198,555;

(II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, $75,062,000;

(III) FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, $77,654,000;

(IV) FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, $82,771,000; AND

(V) FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, $86,028,000.

~~**Article – Transportation**~~

~~**27–101.3.**~~

~~**(A) AFTER COMPUTING THE FINE TO BE ASSESSED UNDER THE DISTRICT COURT'S SCHEDULE OF PRESET FINES OR PENALTY DEPOSITS, A**~~

~~POLICE OFFICER ISSUING A TRAFFIC CITATION FOR A VIOLATION FOR WHICH A SURCHARGE IS REQUIRED TO BE IMPOSED UNDER § 7–301(F) OF THE COURTS ARTICLE SHALL ADD A $7.50 SURCHARGE TO THE AMOUNT OF THE TOTAL FINE BEFORE PRESENTING THE CITATION TO THE DRIVER BEING CHARGED.~~

~~(B) THE COMPTROLLER SHALL ANNUALLY PAY THE SURCHARGES COLLECTED UNDER THIS SECTION AS REQUIRED UNDER § 7–301(F) OF THE COURTS ARTICLE.~~

Chapter 76 of the Acts of 2004

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 5–801 of Article 83B – Department of Housing and Community Development of the Annotated Code of Maryland be repealed and reenacted, with amendments, and transferred to the Session Laws, to read as follows:

1.

(h) (1) Subject to the provisions of this subsection, the provisions of this section and the tax credit authorized under this section shall terminate as of July 1, 2004.

(2) On or after July 1, 2004**[**:

(i) The**]**, **THE** tax credit authorized under this section may be claimed for:

[1.**]** **(I)** a project for rehabilitation of a single–family, owner–occupied residence for which an application for approval of a plan of proposed rehabilitation was received by the Director on or before June 30, 2004; or

[2.**]** **(II)** **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,** a commercial rehabilitation project for which an application of a plan of proposed rehabilitation has been approved by the Director on or before June 30, 2004.

[(ii) The Director shall continue to report to the Governor and the General Assembly as required under subsection (g) of this section for as long as any rehabilitation project for which an application for approval of a plan of proposed rehabilitation was received by the Director on or before June 30, 2004 remains incomplete.**]**

(3) **THE TAX CREDIT AUTHORIZED UNDER THIS SECTION FOR A COMMERCIAL REHABILITATION PROJECT EXPIRES ON JULY 1, 2014, UNLESS, ON OR BEFORE JUNE 30, 2014, THE APPLICANT DEMONSTRATES TO THE**

DIRECTOR THAT THE COMMERCIAL REHABILITATION PROJECT HAS A VALID, UNEXPIRED BUILDING PERMIT FOR THE REHABILITATION PROJECT.

(4) THE DIRECTOR SHALL NOTIFY, IN WRITING, THE OWNER OR DEVELOPER THAT RECEIVED APPROVAL OF A PLAN OF PROPOSED REHABILITATION FOR A COMMERCIAL REHABILITATION PROJECT OF THE REQUIREMENTS OF THIS SUBSECTION.

(5) ON OR BEFORE AUGUST 1, 2014, THE DIRECTOR SHALL REPORT TO THE COMPTROLLER THE NUMBER OF TAX CREDITS AND THE AMOUNT OF THE TAX CREDITS THAT HAVE EXPIRED IN ACCORDANCE WITH THIS SUBSECTION.

Chapter 397 of the Acts of 2011

SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other revenue generated under § 19–214 of the Health – General Article, as amended by this Act:

(a) For fiscal year 2012, the Health Services Cost Review Commission shall approve a combination of hospital assessments and remittances in the amount of $389,825,000 to support the general operations of the Medicaid program. The Commission may reduce assessments or remittances by the amount of any reduction in State Medicaid expenditures that will result from any Commission–approved changes in hospital rates or policies.

(b) For fiscal **[**year**]** **YEARS** 2013 and **[**every fiscal year thereafter**]** **2014**, the Commission and the Department of Health and Mental Hygiene shall adopt policies that will provide at least $389,825,000 from a combination of special fund revenues and General Fund savings from reduced hospital or other payments made by the Medicaid program. The policies adopted under this subsection shall be in lieu of the hospital assessment and remittance revenue generated in fiscal year 2012, but may include hospital assessments and remittances. To the maximum extent possible, the Commission and the Department shall adopt policies that preserve the State Medicare waiver.

(C) FOR FISCAL YEAR 2015 AND EVERY FISCAL YEAR THEREAFTER, THE COMMISSION AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL ADOPT POLICIES THAT WILL PROVIDE UP TO $389,825,000 IN SPECIAL FUND REVENUES FROM HOSPITAL ASSESSMENT AND REMITTANCE REVENUE. IN EACH FISCAL YEAR, THE COMMISSION AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE MAY ADOPT POLICIES THAT RESULT IN NEW GENERAL FUND SAVINGS FROM REDUCED HOSPITAL OR OTHER PAYMENTS MADE BY THE MEDICAID PROGRAM AND THOSE SAVINGS MAY BE USED TO OFFSET HOSPITAL ASSESSMENT AND REMITTANCE REVENUE IN THE FIRST YEAR THAT THOSE

POLICIES ARE ADOPTED. TO THE MAXIMUM EXTENT POSSIBLE, THE COMMISSION AND THE DEPARTMENT SHALL ADOPT POLICIES THAT PRESERVE THE STATE'S MEDICARE WAIVER.

Chapter 487 of the Acts of 2009, as amended by Chapter 484 of the Acts of 2010

(b) Subject to subsection (c) of this section, up to ***[****$2,000,000****] $1,750,000*** *of the balance in the Fund may be transferred to the Maryland Information Technology Development Project Fund (program F50A01.01) for the purpose of funding the purchase of a new Optical Scan Voting System.*

Chapter 487 of the Acts of 2009, as amended by Chapter 484 of the Acts of 2010 and Chapters 292 and 293 of the Acts of 2011

SECTION 38. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) The General Assembly finds that the Fair Campaign Financing Fund established under § 15–103 of the Election Law Article cannot operate as originally contemplated.

(c) A transfer under this section may not reduce the balance in the Fund below $1,000,000.

(M) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ON OR BEFORE JUNE 30, 2014, THE GOVERNOR MAY TRANSFER BY BUDGET AMENDMENT AN AMOUNT NOT EXCEEDING $250,000 OF THE BALANCE IN THE FAIR CAMPAIGN FINANCING FUND TO THE STATE BOARD OF ELECTIONS FOR THE PURPOSE OF CONDUCTING THE STUDIES REQUIRED UNDER CHAPTERS 158/157 (H.B. 224/S.B. 279) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2013.

(2) ANY FUNDS TRANSFERRED FROM THE FAIR CAMPAIGN FINANCING FUND TO THE STATE BOARD OF ELECTIONS UNDER THIS SUBSECTION THAT ARE NOT USED TO CONDUCT THE STUDIES REQUIRED UNDER CHAPTERS 158/157 (H.B. 224/S.B. 279) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2013 MAY NOT BE RETAINED BY THE STATE BOARD OF ELECTIONS AND SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.

Chapter 1 of the Acts of the First Special Session of 2012

SECTION 9. AND BE IT FURTHER ENACTED, That:

(1) The Governor shall include in the budget bill for fiscal year 2014 the transfer of ***[****$2,000,000****] $1,750,000*** *from the Fair Campaign Financing Fund to the*

Maryland Information Technology Development Project Fund (program F50A01.01) that was authorized by Section 38 of Chapter 487 of the Acts of 2009 for the purpose of funding the purchase of a new Optical Scan Voting System.

(2) It is the intent of the General Assembly that, beginning in fiscal year 2015, each county pay its share of one–half of any further cost of acquiring and operating the Optical Scan Voting System as required under Chapter 564 of the Acts of 2001.

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

Article 24 – Political Subdivisions – Miscellaneous Provisions

9–1101.

(a) (1) Subject to subsection (d) of this section, for each fiscal year, the Comptroller shall distribute to a county the amount determined for each county under this section.

(2) The amount a county shall receive under this section in any fiscal year shall be based on the county income tax collected from individuals for the taxable year that ended in the second prior fiscal year, from returns filed through November 1 immediately preceding the applicable fiscal year, as determined by the Comptroller.

*(b) (2) **[**(i) Subject to subparagraph (ii) of this paragraph, if**]** **IF** the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.*

[**(ii) For fiscal year 2012 only, if the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 77% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 77% of the statewide per capita yield, as rounded to the nearest dollar.**]

*(3) A county may not receive a distribution under this subsection if the county tax rate in that county was less than **[**2.4%**]** **2.6%**:*

(i) For the taxable year that ended in the second prior fiscal year; or

(ii) For any subsequent taxable year through the taxable year that ends in the current fiscal year.

(d) ***(1)*** *[For]* ***EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR*** *fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.*

(2) (I) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Local Government

16–501.

(a) Subject to subsection (e) of this section, for each fiscal year, the Comptroller shall pay to an eligible county a grant in the amount determined under subsection (c)(3) of this section.

(b) A county may not receive a grant under subsection (a) of this section if the county's income tax rate was less than [2.4%] ***2.6%****:*

(1) for the taxable year that ended in the second prior fiscal year; or

(2) for any subsequent taxable year through the taxable year that ends in the current fiscal year.

(c) (3) If the per capita yield of the county income tax for a county determined under paragraph (2)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (2)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

(e) ***(1)*** *[For]* ***EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR*** *fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.*

(2) (I) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

~~SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8–406(b) and 10–704.1 of the Tax – General Article of the Annotated Code of Maryland be repealed.~~

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

10–733.

(A) IN THIS SECTION, "QUALIFIED VEHICLE" MEANS A CLASS F (TRACTOR) VEHICLE DESCRIBED UNDER § 13–923 OF THE TRANSPORTATION ARTICLE THAT IS TITLED AND REGISTERED IN THE STATE.

(B) SUBJECT TO THE LIMITATIONS OF THIS SECTION, AN INDIVIDUAL OR A CORPORATION MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR THE EXPENSE OF REGISTERING A QUALIFIED VEHICLE IN THE STATE.

(C) (1) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:

(I) $400 FOR EACH QUALIFIED VEHICLE; OR

(II) THE STATE INCOME TAX FOR THAT TAXABLE YEAR.

(2) THE UNUSED AMOUNT OF THE CREDIT MAY NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.

SECTION ~~3.~~ ~~2.~~ *5.* AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2013, the Governor may transfer $1,000,000 of the funds in the State Insurance Trust Fund established under § 9–103 of the State Finance and Procurement Article to the General Fund.

~~SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2014, the Governor may transfer $2,000,000 from the Small, Minority, and Women–Owned Business Investment Account established under § 9–1A–35 of the State Government Article to the Small Business Development Contract Financing Fund established under Part III of Title 5, Subtitle 5 of the Economic Development Article.~~

SECTION ~~5.~~ ~~3.~~ *6.* AND BE IT FURTHER ENACTED, That, for fiscal year 2014, payments to providers of nonpublic placements under § 8–406 of the Education Article may not increase by more than 2.5% over the rates in effect on January 16, 2013.

SECTION ~~6.~~ ~~4.~~ *7.* AND BE IT FURTHER ENACTED, That, for fiscal year 2014, payments to providers with rates set by the Interagency Rates Committee under § 8–417 of the Education Article may not increase by more than 2.5% over the rates in effect on January 16, 2013.

SECTION ~~7.~~ ~~5.~~ *8.* AND BE IT FURTHER ENACTED, That:

(1) In this section, "Commission" means the Health Services Cost Review Commission.

(2) The Department of Health and Mental Hygiene shall achieve $30,000,000 of General Fund savings in fiscal year 2014 from a combination of tiered rates for hospital outpatient and emergency department services and hospital update factors approved by the Commission that are lower than assumed in the Medicaid budget for fiscal year 2014.

(3) (i) The Commission shall engage an independent consultant to prepare an analysis projecting the savings Medicaid will achieve from tiered rates in fiscal year 2014.

(ii) The Medicaid Program shall make available to the Commission and any related consultants the data deemed necessary for the consultant to prepare the analysis.

(iii) In calculating the Medicaid savings from tiered rates, the consultant shall:

1. Estimate fiscal year 2014 Medicaid utilization of the clinics and emergency departments using available fiscal year 2013 data adjusted for Medicaid's estimates of enrollment growth for fiscal year 2014; and

2. Compare the amount Medicaid would pay for each service using the preliminary or final Commission–approved clinic and emergency department rates established by the Commission for fiscal year 2014 to the amount Medicaid will pay using the fiscal year 2014 tiered rates developed by the hospitals.

(4) On or before December 15, 2013, the Commission shall submit a report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly identifying the projected fiscal year 2014 savings, if any, to the Medicaid Program from:

(i) Tiered rates at hospital outpatient clinics and emergency departments as projected by the independent consultant; and

(ii) A fiscal year 2014 update factor that is less than assumed in the fiscal year 2014 Medicaid budget.

(5) If the report projects General Fund savings of less than $30,000,000, the Commission shall take one or more of the following actions:

(i) Adjust the Medicaid hospital assessment so that the fiscal year 2014 assessment rate as a percentage of projected regulated net patient revenue equals the fiscal year 2013 assessment rate as a percentage of projected regulated net patient revenue;

(ii) Reduce the Maryland Health Insurance Plan hospital assessment by an amount sufficient to ensure that the combined Medicaid and Maryland Health Insurance Plan assessments do not exceed $518,000,000 in fiscal year 2014; or

(iii) Identify and implement additional or alternative actions that will bring the combined Medicaid General Fund savings in fiscal year 2014 to $30,000,000.

SECTION ~~6.~~ *9.* AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2013, the Governor may transfer $430,000 from the Sustainable Communities Tax Credit Reserve Fund established under § 5A–303(d) of the State Finance and Procurement Article *to the General Fund*, which is the amount of commercial tax credit certificates that were issued in Fiscal Year 2007 and that have not been claimed under § 5A–303(f)(4) of the State Finance and Procurement Article or extended under § 5A–303(c)(3)(ii) of the State Finance and Procurement Article. The Director of the Maryland Historical Trust shall notify, in writing, the owner or developer that received approval of a plan of proposed rehabilitation that these tax credit certificates have expired.

~~SECTION 7. AND BE IT FURTHER ENACTED, That $2,100,000 of the unexpended and unencumbered General Fund appropriations that were included in program M00L01.03 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), may be used only to increase, effective January 1, 2013, specialty physician evaluation and management rates in the public mental health system to the calendar 2013 Medicare rate for the same services. If any unexpended and unencumbered funding is not used for this restricted purpose, it shall revert to the General Fund.~~

SECTION ~~8.~~ *10.* AND BE IT FURTHER ENACTED, That $4,200,000 of the unexpended and unencumbered General Fund appropriations that were included in program M00L01.03 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), may be used only for the payment of any remaining fiscal year 2012 unprovided for General Fund payables reported to the Office of the Comptroller at the fiscal year 2012 closeout in program M00L01.02 Community Services and program M00L01.03 Community Services for Medicaid Recipients. If any unexpended and unencumbered funding is not used for this restricted purpose, it shall revert to the General Fund.

SECTION ~~9.~~ *11.* AND BE IT FURTHER ENACTED, That any unexpended and unencumbered General Fund appropriations that were included in program RA02.07 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), or program RA02.05 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), may be used only for the Quality Teacher Incentive Program under § 6–306(b) of the Education Article. If any unexpended and unencumbered funding is not used for this restricted purpose, it shall revert to the General Fund.

SECTION ~~10.~~ *12.* AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2013, the Governor may transfer any funds in the Special Fund for Preservation of Cultural Arts in Maryland established under § 4–801 of the Economic Development Article to the General Fund.

SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) Except as otherwise provided in this section, State employees employed by any entity, including the University System of Maryland, Morgan State University, and St. Mary's College of Maryland, may not receive merit increases before April 1, 2014.

(b) This provision does not affect:

(1) salaries for constitutional officers or members of the General Assembly;

(2) increases necessary for the retention of faculty in the University System of Maryland, Morgan State University, or St. Mary's College of Maryland;

(3) payments under a collective bargaining agreement negotiated with an accredited representative in accordance with § 7–601 of the Transportation Article; or

(4) for fiscal year 2014 only, operationally critical staff.

(c) On or before December 1, 2013, in accordance with § 2–1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary's College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

(d) On or before December 1, 2013, in accordance with § 2–1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all Executive Branch staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 1, 2013, the Governor may transfer $3,500,000 of the funds in the Oil Contaminated Site Environmental Cleanup Fund established under § 4–704 of the Environment Article to the Maryland Oil Disaster Containment, Clean–Up and Contingency Fund established under § 4–411 of the Environment Article.

SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before December 31, 2013, the Governor may transfer the remaining balance in the Oil Contaminated Site Environmental Cleanup Fund established under § 4–704 of the Environment Article to the Maryland Oil Disaster Containment, Clean–Up and Contingency Fund established under § 4–411 of the Environment Article.

SECTION 16. AND BE IT FURTHER ENACTED, That:

(a) The Secretary of the Environment shall convene a workgroup consisting of representatives of the various sectors of the petroleum marketing industry and representatives from appropriate public and private entities to review and assess the long–term funding needs of the oil pollution programs in the State.

(b) On or before December 31, 2013, the Department of the Environment shall report the findings and recommendations of the workgroup convened under subsection

(a) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the presiding officers of the House and the Senate, the House Environmental Matters Committee, and the Senate Education, Health, and Environmental Affairs Committee.

SECTION 17. AND BE IT FURTHER ENACTED, That:

(a) The Comptroller, for scheduled distributions of county income tax to counties or municipalities during fiscal year 2014, shall make those distributions without adjustments for refunds or related changes resulting from amended income tax returns for previous tax years that are determined to be extraordinary or anomalous. Any adjustments that would ordinarily be administered by the Comptroller in fiscal year 2014 shall instead be administered in subsequent reconciliation distributions.

(b) The Comptroller shall:

(1) evaluate the impacts of recent changes to the Local Reserve Account established to comply with § 2–606 of the Tax – General Article, including the process by which revenue is distributed from the Account and the current and future unfunded liabilities for the Account;

(2) study the impacts of altering interest paid on tax deficiencies and refunds imposed under §§ 13–603 and 13–604 of the Tax – General Article; and

(3) report specific findings and any recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on or before December 31, 2013.

SECTION 18. AND BE IT FURTHER ENACTED, That funds reduced under Section 42 of Chapter 423 (H.B. 100) of the Acts of the General Assembly of 2013 may not revert to the General Fund but shall be held in reserve unless transferred as provided in that section.

SECTION ~~8.~~ ~~11.~~ *19.* AND BE IT FURTHER ENACTED, That, if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

~~SECTION 9. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012.~~

SECTION 20. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2013.

SECTION 21. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect on the taking effect of Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013. If Section 3 of this Act takes effect, Section 2 of this Act shall be abrogated and of no further force and effect.

SECTION 22. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect September 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2013, but before January 1, 2017, contingent on the taking effect of an increased toll structure at Maryland toll facilities. If an increased toll structure at Maryland toll facilities does not take effect on or before September 1, 2013, Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION ~~10.~~ ~~12.~~ *23.* AND BE IT FURTHER ENACTED, That*, except as otherwise provided in this Act,*~~, except as provided in Section 9 of this Act,~~ this Act shall take effect June 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 426

(House Bill 115)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

FOR the purpose of authorizing the creation of a State Debt in the amount of $4,549,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required matching fund; providing that, after a certain date, any bonds authorized under this Act shall be canceled and be of no further effect; providing that the proceeds of the loan under this Act shall be expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund; and providing generally for the issuance and sale of bonds evidencing the loan.

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

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Qualified Zone Academy Bonds Loan of 2013 in a total principal amount of $4,549,000. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation qualified zone academy bonds, as defined in § 54E of the Internal Revenue Code of the United States, as amended, authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Annotated Code of Maryland, and §§ 54A and 54E of the Internal Revenue Code, as amended.

(2) The bonds to evidence this loan or installments of this loan may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article. Notwithstanding §§ 8–123 and 8–124 of the State Finance and Procurement Article, the Board of Public Works may sell the bonds authorized herein at one or more private sales that best meet the terms and conditions of sale set by the Board. The bonds authorized under this Act shall be issued and sold no later than December 31, 2013.

(3) The cash proceeds from the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller, and held separately in a qualified zone academy bond account. The remaining proceeds from the sale of the bonds, including any interest earned from the investment of such proceeds, shall be expended, as determined and approved by the Board of Public Works, for the following public purposes: as grants to the Interagency Committee on School Construction and the Maryland State Department of Education (referred to hereafter in this Act as the "grantees") for the renovation, repair, and capital improvements of qualified zone academies, as defined in § 54E(d)(1) of the Internal Revenue Code, as amended, in accordance with the criteria established under the Aging Schools Program as follows:

(a) for competitively awarded grants by the Interagency Committee on School Construction to eligible school systems for qualified academies, including public charter schools; and

(b) for targeted grants awarded by the Maryland State Department of Education to eligible school systems for qualified academies, including public charter schools, under the Breakthrough Center Program.

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal of and interest, if any, on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of issuance of the bonds.

(5) (a) The grantees shall document the provision of a matching fund as provided in this paragraph.

(b) No part of the matching fund may be provided, either directly or indirectly, from funds of the State or any other governmental body, whether appropriated or unappropriated. No part of the fund may consist of real property. The fund shall consist of private business contributions as required under § 54E(b) of the Internal Revenue Code, as amended, and may consist of funds or in kind contributions or funds other than funds of the State or any other governmental body. In case of any dispute as to what money or assets may qualify as matching funds, the Board of Public works shall determine the matter and the Board's decision is final.

(c) The grantees shall present evidence to the satisfaction of the Board of Public Works of the provision and documentation of the matching fund, and the Board of Public Works shall authorize the sale of the bonds in proportion to the documented matching fund and shall authorize the disbursement of the proceeds for the purposes set forth in Section 1(3) above.

(6) After December 31, 2013, any bonds authorized under this Act that have not been issued and sold by the Board of Public Works shall be canceled and be of no further effect.

(7) The proceeds of the loan, including any interest earned on the investment of the proceeds, shall be expended for the purposes provided in this Act not later than 3 years after the issuance of the bonds authorized under this Act.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 427

(Senate Bill 281)

AN ACT concerning

Firearm Safety Act of 2013

FOR the purpose of *establishing a certain exception to the prohibition against carrying a deadly weapon on public school property; making it a misdemeanor to possess or use certain firearm ammunition during and in relation to the commission of a certain crime of violence;* altering the authorization for a person to wear, carry, or transport a handgun to be within certain limitations; designating certain firearms as assault weapons; prohibiting, with certain exceptions, a person from transporting an assault weapon into the State or possessing, selling, offering to sell, transferring, purchasing, or receiving an assault weapon; ~~authorizing certain licensed firearms dealers to continue to possess, sell, offer for sale, or~~

~~transfer assault long guns or copycat weapons~~ providing that certain prohibitions relating to certain assault weapons and detachable magazines do not apply to certain persons under certain circumstances; authorizing a person to transport certain assault weapons under certain circumstances; authorizing certain persons to continue to possess assault long guns or copycat weapons under certain circumstances; ~~providing that certain registration requirements for certain assault weapons do not apply under certain circumstances;~~ altering the maximum capacity of rounds of ammunition allowable to be manufactured, sold, offered for sale, purchased, received, or transferred for a firearm, *with certain exceptions*; making it a misdemeanor to use an assault long gun or a copycat weapon or a magazine that exceeds a certain maximum capacity of rounds of ammunition in the commission of a felony or a crime of violence; requiring a certain hearing officer, after making a certain determination, to order certain individuals to surrender ~~or consign~~ firearms in the individual's possession under certain circumstances; prohibiting an individual, while hunting for any wild bird or mammal, from shooting or discharging a firearm within a certain distance of a public or nonpublic school during certain times; *repealing certain duties of the Police Training Commission relating to a certain firearms safety training course;* requiring the Secretary of State Police to disapprove an application for a State–regulated firearms dealer's license if the Secretary determines that the applicant intends a certain person to participate or hold a certain interest in the management or operation of the business for which the license is sought; ~~requiring that~~ *requiring the Secretary to include certain information in a certain notice if a State–regulated firearms dealer's license application is denied; authorizing* the Secretary *to* suspend a dealer's license if the licensee is not in compliance with certain record keeping and reporting requirements; *authorizing the Secretary to lift a certain license suspension under certain circumstances;* prohibiting a certain person from selling, purchasing, renting, transferring, or receiving a certain regulated firearm unless the person presents or possesses a certain handgun qualification license issued by the Secretary ~~of State Police~~ or certain credentials or identification; providing for certain exceptions to the requirement to present and possess a certain handgun qualification license under certain circumstances; establishing certain requirements and procedures for the issuance and renewal of a certain handgun qualification license; authorizing the Secretary to revoke a certain handgun qualification license under certain circumstances; requiring a certain person to return a certain handgun qualification license under certain circumstances; establishing certain requirements and procedures for the issuance of a replacement handgun qualification license under certain circumstances; requiring certain fees; requiring a certain licensee or designated law enforcement agency to transfer a certain firearm application to the Secretary in an electronic format; authorizing a certain hearing for a certain aggrieved person under certain circumstances; altering the information required in a certain statement for a certain firearm application; altering the circumstances under which a person is prohibited from possessing a certain regulated firearm; making it a misdemeanor for a certain person to possess certain ammunition if the person is prohibited from

possessing a certain firearm under certain circumstances; establishing certain penalties; requiring certain persons to provide certain data about a certain person to a certain federal index in a certain manner under certain circumstances; authorizing a certain person who is subject to certain prohibitions from possessing certain firearms to apply for certain relief from certain prohibitions under certain circumstances; establishing the procedures and requirements for a person who is subject to certain prohibitions on the possession of certain firearms to apply for certain relief for certain prohibitions; ~~requiring certain persons to enter into a certain memorandum of understanding~~ *authorizing the Secretary of Health and Mental Hygiene to adopt certain regulations; providing that certain individuals may not be held criminally or civilly liable for certain actions*; requiring a person who moves into the State for the purpose of establishing residency to register certain firearms within a certain time period with the Secretary in a certain manner; requiring that a licensed dealer keep records of all receipts, sales, and other dispositions of firearms affected in connection with the licensed dealer's business; requiring the Secretary to adopt certain regulations specifying certain information; requiring that the records that licensed dealers maintain include certain information; specifying certain record keeping requirements to be met when a firearms business is discontinued; requiring that a licensee respond in a certain way after receipt of a request from the Secretary for certain information; authorizing the Secretary to implement a system by which a certain person may request certain information; requiring the Secretary to inspect the inventory and records of a licensed dealer under certain circumstances; authorizing the Secretary to conduct a certain inspection during a certain time; *requiring certain persons who sell or transfer regulated firearms to notify certain purchasers or recipients at the time of purchase or transfer that the purchaser or recipient is required to report a lost or stolen regulated firearm to a certain law enforcement agency; requiring the owner of a regulated firearm to report the loss or theft of the regulated firearm to a certain law enforcement agency within a certain period of time after the owner discovers the loss or theft; requiring a law enforcement agency on receipt of a report of a lost or stolen regulated firearm to enter certain information into a certain database;* providing that certain information is not open to public inspection; prohibiting a certain person from possessing a rifle or shotgun under certain circumstances; repealing a provision of law that prohibits a certain person from possessing a rifle or shotgun unless the person possesses a certain physician's certificate; requiring a certain applicant for a certain firearm permit to complete a certain firearm training course under certain circumstances; exempting a certain applicant for a permit from a certain training requirement under certain circumstances; authorizing the Secretary to issue a certain handgun qualification license without an additional application or fee under certain circumstances; *prohibiting public inspection of the records of certain regulated firearm dealers, owners, or permit holders; authorizing the individual named in the record and the individual's attorney to view certain records; providing that this Act does not prohibit the Department of Public Safety and Correctional Services and the Department of State Police from accessing certain records in the performance of official duties;*

defining certain terms; *requiring the Department of State Police to make certain investigations and to report its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act;* and generally relating to firearms.

BY adding to
Article – Criminal Law
Section 4–110
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section *4–102,* 4–203(b), and 4–301 through 4–306 to be under the amended subtitle "Subtitle 3. Assault Weapons and Detachable Magazines"
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY adding to
Article – Health – General
Section 10–632(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(g)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section *3–208,* 5–101, 5–110(a) *and (b),* 5–114(a), 5–115, 5–118(b)(2) and (3), 5–120, 5–133, 5–143, 5–205, 5–206, 5–301, and 5–306
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Public Safety
Section 5–117.1, 5–118(b)(4), 5–133.1, 5–133.2, 5–133.3, ~~and 5–143~~ 5–143, ~~and~~ 5–145, *and 5–146*
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing
Article – Public Safety
Section 5–119

Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–616(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Government
Section 10–616(v)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – Criminal Law

4–102.

(a) This section does not apply to:

(1) a law enforcement officer in the regular course of the officer's duty;

(2) AN OFF–DUTY LAW ENFORCEMENT OFFICER WHO IS A PARENT, GUARDIAN, OR VISITOR OF A STUDENT ATTENDING A SCHOOL LOCATED ON THE PUBLIC SCHOOL PROPERTY, PROVIDED THAT:

(I) THE OFFICER IS DISPLAYING THE OFFICER'S BADGE OR CREDENTIAL; AND

(II) THE WEAPON CARRIED OR POSSESSED BY THE OFFICER IS CONCEALED;

***[**(2)**] (3)** a person hired by a county board of education specifically for the purpose of guarding public school property;*

***[**(3)**] (4)** a person engaged in organized shooting activity for educational purposes; or*

***[**(4)**] (5)** a person who, with a written invitation from the school principal, displays or engages in a historical demonstration using a weapon or a replica of a weapon for educational purposes.*

(b) A person may not carry or possess a firearm, knife, or deadly weapon of any kind on public school property.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $1,000 or both.

(2) A person who is convicted of carrying or possessing a handgun in violation of this section shall be sentenced under Subtitle 2 of this title.

4–110.

(A) IN THIS SECTION, "RESTRICTED FIREARM AMMUNITION" MEANS A CARTRIDGE, A SHELL, OR ANY OTHER DEVICE THAT:

(1) CONTAINS EXPLOSIVE OR INCENDIARY MATERIAL DESIGNED AND INTENDED FOR USE IN A FIREARM; AND

(2) HAS A CORE CONSTRUCTED, EXCLUDING TRACES OF OTHER SUBSTANCES, ENTIRELY FROM ONE OR A COMBINATION OF:

(I) TUNGSTEN ALLOYS;

(II) STEEL;

(III) IRON;

(IV) BRASS;

(V) BERYLLIUM COPPER;

(VI) DEPLETED URANIUM; OR

(VII) AN EQUIVALENT MATERIAL OF SIMILAR DENSITY OR HARDNESS.

(B) A PERSON MAY NOT, DURING AND IN RELATION TO THE COMMISSION OF A CRIME OF VIOLENCE AS DEFINED IN § 14–101 OF THIS ARTICLE, POSSESS OR USE RESTRICTED FIREARM AMMUNITION.

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING $5,000 OR BOTH.

4–203.

(b) This section does not prohibit:

(1) the wearing, carrying, or transporting of a handgun by a person who **[**is on active assignment engaged in law enforcement,**]** is authorized at the time and under the circumstances to wear, carry, or transport the handgun as part of the person's official equipment, and is:

(i) a law enforcement official of the United States, the State, or a county or city of the State;

(ii) a member of the armed forces of the United States or of the National Guard on duty or traveling to or from duty;

(iii) a law enforcement official of another state or subdivision of another state temporarily in this State on official business;

(iv) a correctional officer or warden of a correctional facility in the State;

(v) a sheriff or full–time assistant or deputy sheriff of the State; or

(vi) a temporary or part–time sheriff's deputy;

(2) the wearing, carrying, or transporting of a handgun**, IN COMPLIANCE WITH ANY LIMITATIONS IMPOSED UNDER § 5–307 OF THE PUBLIC SAFETY ARTICLE,** by a person to whom a permit to wear, carry, or transport the handgun has been issued under Title 5, Subtitle 3 of the Public Safety Article;

(3) the carrying of a handgun on the person or in a vehicle while the person is transporting the handgun to or from the place of legal purchase or sale, or to or from a bona fide repair shop, or between bona fide residences of the person, or between the bona fide residence and place of business of the person, if the business is operated and owned substantially by the person if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(4) the wearing, carrying, or transporting by a person of a handgun used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a Department of Natural Resources–sponsored firearms and hunter safety class, trapping, or a dog obedience training class or show, while the person is engaged in, on the way to, or returning from that activity if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(5) the moving by a bona fide gun collector of part or all of the collector's gun collection from place to place for public or private exhibition if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(6) the wearing, carrying, or transporting of a handgun by a person on real estate that the person owns or leases or where the person resides or within the confines of a business establishment that the person owns or leases;

(7) the wearing, carrying, or transporting of a handgun by a supervisory employee:

(i) in the course of employment;

(ii) within the confines of the business establishment in which the supervisory employee is employed; and

(iii) when so authorized by the owner or manager of the business establishment;

(8) the carrying or transporting of a signal pistol or other visual distress signal approved by the United States Coast Guard in a vessel on the waterways of the State or, if the signal pistol or other visual distress signal is unloaded and carried in an enclosed case, in a vehicle; or

(9) the wearing, carrying, or transporting of a handgun by a person who is carrying a court order requiring the surrender of the handgun, if:

(i) the handgun is unloaded;

(ii) the person has notified the law enforcement unit, barracks, or station that the handgun is being transported in accordance with the court order; and

(iii) the person transports the handgun directly to the law enforcement unit, barracks, or station.

Subtitle 3. Assault **[**Pistols**]** **WEAPONS** and Detachable Magazines.

4–301.

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

(B) "ASSAULT LONG GUN" MEANS ANY ASSAULT WEAPON LISTED UNDER § 5–101(R)(2) OF THE PUBLIC SAFETY ARTICLE.

(C) **[**In this subtitle, "assault**]** **"ASSAULT** pistol" means any of the following firearms **[**or a copy regardless of the producer or manufacturer**]**:

(1) AA Arms AP–9 semiautomatic pistol;

(2) Bushmaster semiautomatic pistol;

(3) Claridge HI–TEC semiautomatic pistol;

(4) D Max Industries semiautomatic pistol;

(5) Encom MK–IV, MP–9, or MP–45 semiautomatic pistol;

(6) Heckler and Koch semiautomatic SP–89 pistol;

(7) Holmes MP–83 semiautomatic pistol;

(8) Ingram MAC 10/11 semiautomatic pistol and variations including the Partisan Avenger and the SWD Cobray;

(9) Intratec TEC–9/DC–9 semiautomatic pistol in any centerfire variation;

(10) P.A.W.S. type semiautomatic pistol;

(11) Skorpion semiautomatic pistol;

(12) Spectre double action semiautomatic pistol (Sile, F.I.E., Mitchell);

(13) UZI semiautomatic pistol;

(14) Weaver Arms semiautomatic Nighthawk pistol; or

(15) Wilkinson semiautomatic "Linda" pistol.

(D) **"ASSAULT WEAPON" MEANS:**

(1) **AN ASSAULT LONG GUN;**

(2) **AN ASSAULT PISTOL; OR**

(3) **A COPYCAT WEAPON.**

(E) **(1)** **"COPYCAT WEAPON" MEANS:**

(I) A SEMIAUTOMATIC CENTERFIRE RIFLE THAT CAN ACCEPT A DETACHABLE MAGAZINE AND HAS ANY TWO OF THE FOLLOWING:

1. ~~A PISTOL GRIP THAT PROTRUDES CONSPICUOUSLY BENEATH THE ACTION OF THE WEAPON;~~

~~2. A THUMBHOLE STOCK;~~

~~3.~~ A FOLDING ~~OR TELESCOPING~~ STOCK;

~~4.~~ ~~3.~~ *2.* A GRENADE LAUNCHER OR FLARE LAUNCHER; *OR*

~~5.~~ ~~4.~~ *3.* A FLASH SUPPRESSOR; ~~OR~~

~~6.~~ ~~5.~~ ~~A FORWARD PISTOL GRIP;~~

(II) A SEMIAUTOMATIC CENTERFIRE RIFLE THAT HAS A FIXED MAGAZINE WITH THE CAPACITY TO ACCEPT MORE THAN 10 ROUNDS;

(III) A SEMIAUTOMATIC CENTERFIRE RIFLE THAT HAS AN OVERALL LENGTH OF LESS THAN ~~30~~ *29* INCHES;

~~(IV) A SEMIAUTOMATIC PISTOL THAT CAN ACCEPT A DETACHABLE MAGAZINE AND HAS ANY TWO OF THE FOLLOWING:~~

~~1. A THREADED BARREL, CAPABLE OF ACCEPTING A FLASH SUPPRESSOR, FORWARD HANDGRIP, OR SILENCER;~~

~~2. A SECOND HANDGRIP;~~

~~3. A SHROUD THAT IS ATTACHED TO OR THAT PARTIALLY OR COMPLETELY ENCIRCLES THE BARREL, EXCEPT FOR A SLIDE THAT ENCLOSES THE BARREL, AND THAT ALLOWS THE BEARER TO FIRE THE WEAPON WITHOUT BURNING THE BEARER'S HAND; OR~~

~~4. THE CAPACITY TO ACCEPT A DETACHABLE MAGAZINE OUTSIDE THE PISTOL GRIP;~~

~~(V)~~ *(IV)* A SEMIAUTOMATIC PISTOL WITH A FIXED MAGAZINE THAT CAN ACCEPT MORE THAN 10 ROUNDS;

~~(VI)~~ *(V)* A SEMIAUTOMATIC SHOTGUN THAT HAS~~:~~

~~1.~~ A FOLDING ~~OR TELESCOPING~~ STOCK; ~~AND~~

~~2. A PISTOL GRIP THAT PROTRUDES CONSPICUOUSLY BENEATH THE ACTION OF THE WEAPON, THUMBHOLE STOCK, OR VERTICAL HANDGRIP;~~ OR

~~(VII)~~ *(VI)* A SHOTGUN WITH A REVOLVING CYLINDER.

(2) "COPYCAT WEAPON" DOES NOT INCLUDE AN ASSAULT LONG GUN OR AN ASSAULT PISTOL.

(F) "DETACHABLE MAGAZINE" MEANS AN AMMUNITION FEEDING DEVICE THAT CAN BE REMOVED READILY FROM A FIREARM WITHOUT REQUIRING DISASSEMBLY OF THE FIREARM ACTION OR WITHOUT THE USE OF A TOOL, INCLUDING A BULLET OR CARTRIDGE.

(G) "FLASH SUPPRESSOR" MEANS A DEVICE THAT FUNCTIONS, OR IS INTENDED TO FUNCTION, TO PERCEPTIBLY REDUCE OR REDIRECT MUZZLE FLASH FROM THE SHOOTER'S FIELD OF VISION.

~~(H) "FORWARD PISTOL GRIP" MEANS A GRIP THAT ALLOWS FOR A PISTOL–STYLE GRASP FORWARD OF THE TRIGGER.~~

~~(I)~~ *(H)* "LICENSED FIREARMS DEALER" MEANS A PERSON WHO HOLDS A DEALER'S LICENSE UNDER TITLE 5, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE.

~~(J) "PISTOL GRIP THAT PROTRUDES CONSPICUOUSLY BENEATH THE ACTION OF THE WEAPON" MEANS A GRIP THAT ALLOWS FOR A PISTOL–STYLE GRASP IN WHICH THE WEB OF THE TRIGGER HAND BETWEEN THE THUMB AND INDEX FINGER CAN BE PLACED BELOW THE TOP OF THE EXPOSED PORTION OF THE TRIGGER WHILE FIRING.~~

~~(K) "THUMBHOLE STOCK" MEANS A STOCK WITH A HOLE THAT ALLOWS THE THUMB OF THE TRIGGER HAND TO PENETRATE INTO OR THROUGH THE STOCK WHILE FIRING.~~

4–302.

This subtitle does not apply to:

(1) if acting within the scope of official business, personnel of the United States government or a unit of that government, members of the armed forces of the United States or of the National Guard, ~~*MEMBERS OF THE MARYLAND*~~

~~***DEFENSE FORCE,***~~ ~~or~~ law enforcement personnel of the State or a local unit in the State**, OR A RAILROAD POLICE OFFICER AUTHORIZED UNDER TITLE 3 OF THE PUBLIC SAFETY ARTICLE OR 49 U.S.C. § 28101**;

(2) a firearm modified to render it permanently inoperative;

(3) **POSSESSION, *IMPORTATION*, MANUFACTURE, RECEIPT FOR MANUFACTURE, SHIPMENT FOR MANUFACTURE, *STORAGE*,** purchases, sales, and transport to or by a licensed firearms dealer or manufacturer who is:

(i) providing or servicing an assault **[**pistol**]** **WEAPON** or detachable magazine for a law enforcement unit or for personnel exempted under item (1) of this section; ~~or~~

(ii) acting to sell or transfer an assault **[**pistol**]** **WEAPON** or detachable magazine to a licensed firearm dealer in another state ***OR TO AN INDIVIDUAL PURCHASER IN ANOTHER STATE THROUGH A LICENSED FIREARMS DEALER***; **OR**

(III) ACTING TO RETURN TO A CUSTOMER IN ANOTHER STATE AN ASSAULT WEAPON TRANSFERRED TO THE LICENSED FIREARMS DEALER OR MANUFACTURER UNDER THE TERMS OF A WARRANTY OR FOR REPAIR;

(4) organizations that are required or authorized by federal law governing their specific business or activity to maintain assault **[**pistols**]** **WEAPONS** and applicable ammunition and detachable magazines;

(5) the receipt of an assault **[**pistol**]** **WEAPON** or detachable magazine by inheritance***, AND POSSESSION OF THE INHERITED ASSAULT WEAPON OR DETACHABLE MAGAZINE,*** if the decedent lawfully possessed the assault **[**pistol**]** **WEAPON** ***OR DETACHABLE MAGAZINE AND THE PERSON INHERITING THE ASSAULT WEAPON OR DETACHABLE MAGAZINE IS NOT OTHERWISE DISQUALIFIED FROM POSSESSING A REGULATED FIREARM***; ~~or~~

(6) the receipt of an assault **[**pistol**]** **WEAPON** or detachable magazine by a personal representative of an estate for purposes of exercising the powers and duties of a personal representative of an estate**;** ~~**OR**~~

(7) POSSESSION BY A PERSON WHO IS RETIRED IN GOOD STANDING FROM SERVICE WITH A LAW ENFORCEMENT AGENCY OF THE STATE OR A LOCAL UNIT IN THE STATE AND IS NOT OTHERWISE PROHIBITED FROM RECEIVING AN ASSAULT WEAPON OR DETACHABLE MAGAZINE IF:

(I) THE ASSAULT WEAPON OR DETACHABLE MAGAZINE IS SOLD OR TRANSFERRED TO THE PERSON BY THE LAW ENFORCEMENT AGENCY ON RETIREMENT; OR

(II) THE ASSAULT WEAPON OR DETACHABLE MAGAZINE WAS PURCHASED OR OBTAINED BY THE PERSON FOR OFFICIAL USE WITH THE LAW ENFORCEMENT AGENCY BEFORE RETIREMENT; ~~OR~~

(8) POSSESSION OR TRANSPORT BY AN EMPLOYEE OF AN ARMORED CAR COMPANY IF THE INDIVIDUAL IS ACTING WITHIN THE SCOPE OF EMPLOYMENT AND HAS A PERMIT ISSUED UNDER TITLE 5, SUBTITLE 3 OF THE PUBLIC SAFETY ARTICLE*; OR*

(9) POSSESSION, RECEIPT, AND TESTING BY, OR SHIPPING TO OR FROM:

(I) AN ISO 17025 ACCREDITED, NATIONAL INSTITUTE OF JUSTICE–APPROVED BALLISTICS TESTING LABORATORY; OR

(II) A FACILITY OR ENTITY THAT MANUFACTURES OR PROVIDES RESEARCH AND DEVELOPMENT TESTING, ANALYSIS, OR ENGINEERING FOR PERSONAL PROTECTIVE EQUIPMENT OR VEHICLE PROTECTION SYSTEMS.

4–303.

(a) Except as provided in subsection (b) of this section, a person may not:

(1) transport an assault **[**pistol**]** **WEAPON** into the State; or

(2) possess, sell, offer to sell, transfer, purchase, or receive an assault **[**pistol**]** **WEAPON**.

(b) **(1)** A person who lawfully possessed an assault pistol before June 1, 1994, and who registered the assault pistol with the Secretary of State Police before August 1, 1994, may:

[(1)**]** **(I)** continue to possess **AND TRANSPORT** the assault pistol; or

[(2)**]** **(II)** while carrying a court order requiring the surrender of the assault pistol, transport the assault pistol directly to the law enforcement unit, barracks, or station if the person has notified the law enforcement unit, barracks, or station that the person is transporting the assault pistol in accordance with a court order and the assault pistol is unloaded.

(2) *A LICENSED FIREARMS DEALER MAY CONTINUE TO POSSESS, SELL, OFFER FOR SALE, OR TRANSFER AN ASSAULT LONG GUN OR A COPYCAT WEAPON THAT THE LICENSED FIREARMS DEALER LAWFULLY POSSESSED ON OR BEFORE OCTOBER 1, 2013.*

(3) ~~A LICENSED FIREARMS DEALER MAY CONTINUE TO POSSESS, SELL, OFFER FOR SALE, OR TRANSFER AN ASSAULT LONG GUN OR A COPYCAT WEAPON THAT THE LICENSED FIREARMS DEALER LAWFULLY POSSESSED ON OR BEFORE OCTOBER 1, 2013.~~

~~(3)~~ ~~(I)~~ **A PERSON WHO LAWFULLY POSSESSED** ~~*OR PLACED A VERIFIABLE PURCHASE ORDER FOR*~~, *HAS A PURCHASE ORDER FOR, OR COMPLETED AN APPLICATION TO PURCHASE* **AN ASSAULT LONG GUN OR A COPYCAT WEAPON BEFORE OCTOBER 1, 2013,** ~~AND WHO REGISTERS THE ASSAULT LONG GUN OR COPYCAT WEAPON WITH THE SECRETARY OF STATE POLICE BEFORE NOVEMBER 1, 2013~~ JANUARY 1, 2014, **MAY:**

~~(I)~~ ~~1.~~ *(I)* ~~CONTINUE TO~~ **POSSESS AND TRANSPORT THE ASSAULT LONG GUN OR COPYCAT WEAPON; OR**

~~(II)~~ ~~2.~~ *(II)* **WHILE CARRYING A COURT ORDER REQUIRING THE SURRENDER OF THE ASSAULT LONG GUN OR COPYCAT WEAPON, TRANSPORT THE ASSAULT LONG GUN OR COPYCAT WEAPON DIRECTLY TO THE LAW ENFORCEMENT UNIT, BARRACKS, OR STATION IF THE PERSON HAS NOTIFIED THE LAW ENFORCEMENT UNIT, BARRACKS, OR STATION THAT THE PERSON IS TRANSPORTING THE ASSAULT LONG GUN OR COPYCAT WEAPON IN ACCORDANCE WITH A COURT ORDER AND THE ASSAULT LONG GUN OR COPYCAT WEAPON IS UNLOADED.**

~~(II)~~ ~~A PERSON WHO PURCHASED AN ASSAULT LONG GUN BEFORE OCTOBER 1, 2013, AND REGISTERED THE ASSAULT LONG GUN WITH THE SECRETARY OF STATE POLICE IS NOT REQUIRED TO REREGISTER THE ASSAULT LONG GUN UNDER THIS SUBSECTION.~~

~~(3)~~ ~~(I)~~ ~~SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A PERSON WHO LAWFULLY POSSESSED AN ASSAULT LONG GUN OR A COPYCAT WEAPON BEFORE OCTOBER 1, 2013, AND WHO VOLUNTARILY REGISTERS THE ASSAULT LONG GUN OR COPYCAT WEAPON ON OR AFTER NOVEMBER 1, 2013 JANUARY 1, 2014, IS NOT SUBJECT TO THE PENALTIES IN § 4–306 OF THIS SUBTITLE.~~

~~(II)~~ ~~A PERSON WHO VOLUNTARILY REGISTERS AN ASSAULT LONG GUN OR A COPYCAT WEAPON AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING $1,000:~~

~~1. BEFORE MAY 1, 2014, A CIVIL PENALTY NOT EXCEEDING $290 PER REGISTERED FIREARM;~~

~~2. ON OR AFTER MAY 1, 2014 AND BEFORE NOVEMBER 1, 2015, A CIVIL PENALTY NOT EXCEEDING $580 PER REGISTERED FIREARM; AND~~

~~3. ON OR AFTER NOVEMBER 1, 2015 AND BEFORE MAY 1, 2016, A CIVIL PENALTY NOT EXCEEDING $1,000 PER REGISTERED FIREARM.~~

~~(4) (I) A PERSON WHO LAWFULLY POSSESSED AN ASSAULT LONG GUN OR A COPYCAT WEAPON BEFORE OCTOBER 1, 2013, AND WHO REGISTERS THE ASSAULT LONG GUN OR COPYCAT WEAPON ON OR AFTER NOVEMBER 1, 2013 JANUARY 1, 2014, ONLY AFTER BEING DISCOVERED IN POSSESSION OF THE ASSAULT LONG GUN OR COPYCAT WEAPON BY A LAW ENFORCEMENT OFFICER IS NOT SUBJECT TO THE PENALTIES IN § 4–306 OF THIS SUBTITLE.~~

~~(II) A PERSON DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 18 MONTHS 1 YEAR FOR EACH INCIDENT IN WHICH THE PERSON IS DISCOVERED WITH UNREGISTERED FIREARMS.~~

(4) A PERSON MAY TRANSPORT AN ASSAULT WEAPON TO OR FROM:

(I) AN ISO 17025 ACCREDITED, NATIONAL INSTITUTE OF JUSTICE–APPROVED BALLISTICS TESTING LABORATORY; OR

(II) A FACILITY OR ENTITY THAT MANUFACTURES OR PROVIDES RESEARCH AND DEVELOPMENT TESTING, ANALYSIS, OR ENGINEERING FOR PERSONAL PROTECTIVE EQUIPMENT OR VEHICLE PROTECTION SYSTEMS.

4–304.

A law enforcement unit may seize as contraband and dispose of according to regulation an assault **[**pistol**]** **WEAPON** transported, sold, transferred, purchased, received, or possessed in violation of this subtitle.

4–305.

(a) This section does not apply to***:***

(1) a .22 caliber rifle with a tubular magazine***; OR***

(2) A LAW ENFORCEMENT OFFICER OR A PERSON WHO RETIRED IN GOOD STANDING FROM SERVICE WITH A LAW ENFORCEMENT AGENCY OF THE UNITED STATES, THE STATE, OR ANY LAW ENFORCEMENT AGENCY IN THE STATE.

(b) A person may not manufacture, sell, offer for sale, purchase, receive, or transfer a detachable magazine that has a capacity of more than **[**20**] 10** rounds of ammunition for a firearm.

4–306.

(a) ~~A~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A** person who violates this subtitle is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $5,000 or both.

(b) (1) A person who uses an assault **[**pistol**] WEAPON**, or a magazine that has a capacity of more than **[**20**] 10** rounds of ammunition, in the commission of a felony or a crime of violence as defined in § 5–101 of the Public Safety Article is guilty of a misdemeanor and on conviction, in addition to any other sentence imposed for the felony or crime of violence, shall be sentenced under this subsection.

(2) (i) For a first violation, the person shall be sentenced to imprisonment for not less than 5 years and not exceeding 20 years.

(ii) The court may not impose less than the minimum sentence of 5 years.

(iii) The mandatory minimum sentence of 5 years may not be suspended.

(iv) Except as otherwise provided in § 4–305 of the Correctional Services Article, the person is not eligible for parole in less than 5 years.

(3) (i) For each subsequent violation, the person shall be sentenced to imprisonment for not less than 10 years and not exceeding 20 years.

(ii) The court may not impose less than the minimum sentence of 10 years.

(iii) A sentence imposed under this paragraph shall be consecutive to and not concurrent with any other sentence imposed for the felony or crime of violence.

Article – Health – General

10–632.

(G) IF A HEARING OFFICER ENTERS AN ORDER FOR INVOLUNTARY ~~ADMISSION~~ *COMMITMENT* UNDER PART III OF THIS SUBTITLE AND THE HEARING OFFICER DETERMINES THAT THE INDIVIDUAL CANNOT SAFELY POSSESS A FIREARM BASED ON CREDIBLE EVIDENCE OF DANGEROUSNESS TO OTHERS, THE HEARING OFFICER SHALL ORDER THE INDIVIDUAL WHO IS SUBJECT TO THE INVOLUNTARY ~~ADMISSION~~ *COMMITMENT* TO:

(1) ~~(I)~~ SURRENDER TO LAW ENFORCEMENT AUTHORITIES ANY FIREARMS IN THE INDIVIDUAL'S POSSESSION~~; OR~~

~~(II) TEMPORARILY CONSIGN ANY FIREARMS IN THE INDIVIDUAL'S POSSESSION TO A LICENSED DEALER FOR STORAGE OR CONSIGNMENT~~; AND

(2) REFRAIN FROM POSSESSING A FIREARM UNLESS THE INDIVIDUAL IS GRANTED RELIEF FROM FIREARMS DISQUALIFICATION IN ACCORDANCE WITH § 5–133.3 OF THE PUBLIC SAFETY ARTICLE.

Article – Natural Resources

10–410.

(g) (1) Except as provided in **[**paragraph (2)**] PARAGRAPHS (2) AND (3)** of this subsection, a person, other than the owner or occupant, while hunting for any wild bird or mammal may not shoot or discharge any firearm or other deadly weapon within 150 yards, known as the "safety zone," of a dwelling house, residence, church, or other building or camp occupied by human beings, or shoot at any wild bird or mammal while it is within this area, without the specific advance permission of the owner or occupant.

(2) A PERSON, WHILE HUNTING FOR ANY WILD BIRD OR MAMMAL, MAY NOT SHOOT OR DISCHARGE ANY FIREARM WITHIN 300 YARDS OF A PUBLIC OR NONPUBLIC SCHOOL DURING SCHOOL HOURS OR AT A TIME WHEN A SCHOOL–APPROVED ACTIVITY IS TAKING PLACE.

[(2)**] (3)** For archery hunters in Carroll County or Frederick County, the safety zone described in paragraph (1) of this subsection extends for 50 yards from a dwelling house, residence, church, or any other building or camp occupied by human beings.

[(3)**]** **(4)** During any open hunting season, a person, other than the owner or occupant, may not hunt or chase willfully any wild bird or mammal within the safety zone without the specific advance permission of the owner or occupant.

Article – Public Safety

3–208.

[*(a)****]*** *Subject to the authority of the Secretary, the Commission has the following powers and duties:*

(1) to adopt regulations necessary or appropriate to carry out this subtitle; and

(2) to adopt regulations that establish and enforce standards for prior substance abuse by individuals applying for certification as a police officer.

[*(b) Subject to subsections (c) and (d) of this section, the Commission shall adopt regulations on or before January 1, 2001, for a certified firearms safety training course required for an applicant for a regulated firearms purchase, rental, or transfer made on or after January 1, 2002.*

(c) The certified firearms safety training course required under subsection (b) of this section shall:

(1) be offered by the Commission; or

(2) contain a handgun safety component and be conducted by an individual or organization certified by:

(i) the Commission;

(ii) the Department of Natural Resources;

(iii) the Department of State Police; or

(iv) any reputable organization:

1. that has as one of its objectives the promotion of competency and safety in handling handguns; and

2. whose course has been determined by the Commission to meet the regulations adopted by the Commission.

(d) Any course offered by the Commission under subsection (c) of this section:

(1) shall be offered free of charge or fee;

(2) may not be more than 2 hours in duration;

(3) shall be conducted or offered at least once each week in all geographic areas of the State;

(4) shall be available after regular business hours;

(5) shall be open to each individual required by law to complete the firearms safety training course, within 2 weeks after request of the individual;

(6) shall only require attendance throughout the duration of the course in order to complete the course successfully; and

(7) may not require any skills or knowledge testing in the use of a regulated firearm in order to complete the course successfully.]

5–101.

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

(b) "Antique firearm" has the meaning stated in § 4–201 of the Criminal Law Article.

(B–1) (1) "CONVICTED OF A DISQUALIFYING CRIME" INCLUDES:

(I) A CASE IN WHICH A PERSON RECEIVED PROBATION BEFORE JUDGMENT FOR A CRIME OF VIOLENCE; AND

(II) A CASE IN WHICH A PERSON RECEIVED PROBATION BEFORE JUDGMENT IN A DOMESTICALLY RELATED CRIME AS DEFINED IN § 6–233 OF THE CRIMINAL PROCEDURE ARTICLE.

(2) "CONVICTED OF A DISQUALIFYING CRIME" DOES NOT INCLUDE A CASE IN WHICH A PERSON RECEIVED A PROBATION BEFORE JUDGMENT:

(I) FOR ASSAULT IN THE SECOND DEGREE; OR

(II) THAT WAS EXPUNGED UNDER TITLE 10, SUBTITLE 1 OF THE CRIMINAL PROCEDURE ARTICLE.

(c) "Crime of violence" means:

(1) abduction;

(2) arson in the first degree;

(3) assault in the first or second degree;

(4) burglary in the first, second, or third degree;

(5) carjacking and armed carjacking;

(6) escape in the first degree;

(7) kidnapping;

(8) voluntary manslaughter;

(9) maiming as previously proscribed under former Article 27, § 386 of the Code;

(10) mayhem as previously proscribed under former Article 27, § 384 of the Code;

(11) murder in the first or second degree;

(12) rape in the first or second degree;

(13) robbery;

(14) robbery with a dangerous weapon;

(15) sexual offense in the first, second, or third degree;

(16) an attempt to commit any of the crimes listed in items (1) through (15) of this subsection; or

(17) assault with intent to commit any of the crimes listed in items (1) through (15) of this subsection or a crime punishable by imprisonment for more than 1 year.

(d) "Dealer" means a person who is engaged in the business of:

(1) selling, renting, or transferring firearms at wholesale or retail; or

(2) repairing firearms.

(e) "Dealer's license" means a State regulated firearms dealer's license.

(f) "Designated law enforcement agency" means a law enforcement agency that the Secretary designates to process applications to purchase regulated firearms for secondary sales.

(g) "Disqualifying crime" means:

(1) a crime of violence;

(2) a violation classified as a felony in the State; or

(3) a violation classified as a misdemeanor in the State that carries a statutory penalty of more than 2 years.

(h) (1) "Firearm" means:

(i) a weapon that expels, is designed to expel, or may readily be converted to expel a projectile by the action of an explosive; or

(ii) the frame or receiver of such a weapon.

(2) "Firearm" includes a starter gun.

(i) "Firearm applicant" means a person who makes a firearm application.

(j) "Firearm application" means an application to purchase, rent, or transfer a regulated firearm.

(k) "Fugitive from justice" means a person who has fled to avoid prosecution or giving testimony in a criminal proceeding.

(l) "Habitual drunkard" means a person who has been found guilty of any three crimes under § 21–902(a), (b), or (c) of the Transportation Article, one of which occurred in the past year.

(m) "Habitual user" means a person who has been found guilty of two controlled dangerous substance crimes, one of which occurred in the past 5 years.

(n) (1) "Handgun" means a firearm with a barrel less than 16 inches in length.

(2) "Handgun" includes signal, starter, and blank pistols.

(O) "HANDGUN QUALIFICATION LICENSE" MEANS A LICENSE ISSUED BY THE SECRETARY THAT AUTHORIZES A PERSON TO PURCHASE, RENT, OR RECEIVE A HANDGUN.

[(o)**] (P)** "Licensee" means a person who holds a dealer's license.

(Q) "QUALIFIED HANDGUN INSTRUCTOR" MEANS A ~~**PERSON CERTIFIED BY THE SECRETARY WHO MEETS THE REQUIREMENTS ESTABLISHED BY THE SECRETARY TO PROVIDE TRAINING IN THE CARE, SAFETY, AND USE OF HANDGUNS**~~ ***CERTIFIED FIREARMS INSTRUCTOR WHO:***

(1) IS RECOGNIZED BY THE MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSIONS;

(2) HAS A QUALIFIED HANDGUN INSTRUCTOR LICENSE ISSUED BY THE SECRETARY; OR

(3) HAS A CERTIFICATION ISSUED ~~***AND RECOGNIZED BY A NATIONAL ORGANIZATION***~~ ***BY A NATIONALLY RECOGNIZED FIREARMS ORGANIZATION*****.**

[(p)**] (R)** "Regulated firearm" means:

(1) a handgun; or

(2) a firearm that is any of the following specific assault weapons or their copies, regardless of which company produced and manufactured that assault weapon:

(i) American Arms Spectre da Semiautomatic carbine;

(ii) AK–47 in all forms;

(iii) Algimec AGM–1 type semi–auto;

(iv) AR 100 type semi–auto;

(v) AR 180 type semi–auto;

(vi) Argentine L.S.R. semi–auto;

(vii) Australian Automatic Arms SAR type semi–auto;

(viii) Auto–Ordnance Thompson M1 and 1927 semi–automatics;

(ix) Barrett light .50 cal. semi–auto;

(x) Beretta AR70 type semi–auto;

(xi) Bushmaster semi–auto rifle;

(xii) Calico models M–100 and M–900;

(xiii) CIS SR 88 type semi–auto;

(xiv) Claridge HI TEC C–9 carbines;

(xv) Colt AR–15, CAR–15, and all imitations except Colt AR–15 Sporter H–BAR rifle;

(xvi) Daewoo MAX 1 and MAX 2, aka AR 100, 110C, K–1, and K–2;

(xvii) Dragunov Chinese made semi–auto;

(xviii) Famas semi–auto (.223 caliber);

(xix) Feather AT–9 semi–auto;

(xx) FN LAR and FN FAL assault rifle;

(xxi) FNC semi–auto type carbine;

(xxii) F.I.E./Franchi LAW 12 and SPAS 12 assault shotgun;

(xxiii) Steyr–AUG–SA semi–auto;

(xxiv) Galil models AR and ARM semi–auto;

(xxv) Heckler and Koch HK–91 A3, HK–93 A2, HK–94 A2 and A3;

(xxvi) Holmes model 88 shotgun;

(xxvii) Avtomat Kalashnikov semiautomatic rifle in any format;

(xxviii) Manchester Arms "Commando" MK–45, MK–9;

(xxix) Mandell TAC–1 semi–auto carbine;

(xxx) Mossberg model 500 Bullpup assault shotgun;

(xxxi) Sterling Mark 6;

(xxxii) P.A.W.S. carbine;

(xxxiii) Ruger mini–14 folding stock model (.223 caliber);

(xxxiv) SIG 550/551 assault rifle (.223 caliber);

(xxxv) SKS with detachable magazine;

(xxxvi) AP–74 Commando type semi–auto;

(xxxvii) Springfield Armory BM–59, SAR–48, G3, SAR–3, M–21 sniper rifle, M1A, excluding the M1 Garand;

(xxxviii) Street sweeper assault type shotgun;

(xxxix) Striker 12 assault shotgun in all formats;

(xl) Unique F11 semi–auto type;

(xli) Daewoo USAS 12 semi–auto shotgun;

(xlii) UZI 9mm carbine or rifle;

(xliii) Valmet M–76 and M–78 semi–auto;

(xliv) Weaver Arms "Nighthawk" semi–auto carbine; or

(xlv) Wilkinson Arms 9mm semi–auto "Terry".

[(q)**] (S)** "Rent" means the temporary transfer for consideration of a regulated firearm that is taken from the property of the owner of the regulated firearm.

[(r)**] (T)** "Secondary sale" means a sale of a regulated firearm in which neither party to the sale:

(1) is a licensee;

(2) is licensed by the federal government as a firearms dealer;

(3) devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of earning a profit through the repeated purchase and resale of firearms; or

(4) repairs firearms as a regular course of trade or business.

[(s)**] (U)** "Secretary" means the Secretary of State Police or the Secretary's designee.

[(t)**] (V)** "Straw purchase" means a sale of a regulated firearm in which a person uses another, known as the straw purchaser, to:

(1) complete the application to purchase a regulated firearm;

(2) take initial possession of the regulated firearm; and

(3) subsequently transfer the regulated firearm to the person.

5–110.

(a) The Secretary shall disapprove an application for a dealer's license if:

(1) the Secretary determines that the applicant supplied false information or made a false statement;

(2) the Secretary determines that the application is not properly completed; **[**or**]**

(3) the Secretary receives a written notification from the applicant's licensed attending physician that the applicant suffers from a mental disorder and is a danger to the applicant or to another**; OR**

(4) THE SECRETARY DETERMINES THAT THE APPLICANT INTENDS THAT A PERSON WHO IS NOT ELIGIBLE TO BE ISSUED A DEALER'S LICENSE OR WHOSE DEALER'S LICENSE HAS BEEN REVOKED OR SUSPENDED:

(I) WILL PARTICIPATE IN THE MANAGEMENT OR OPERATION OF THE BUSINESS FOR WHICH THE LICENSE IS SOUGHT; OR

(II) HOLDS A LEGAL OR EQUITABLE INTEREST IN THE BUSINESS FOR WHICH THE LICENSE IS SOUGHT.

*(b) If the Secretary disapproves an application for a dealer's license, the Secretary shall notify the applicant in writing of***:**

(1) *the disapproval* ***OF THE APPLICATION; AND***

(2) THE REASON THE APPLICATION WAS DENIED.

5–114.

(a) ***(1)*** The Secretary shall suspend a dealer's license if the licensee:

~~(1)~~ ***(I)*** is under indictment for a crime of violence; ~~**[**or**]**~~

~~(2)~~ ***(II)*** is arrested for a violation of this subtitle that prohibits the purchase or possession of a regulated firearm~~**; OR**~~ .

~~(3)~~ *(2)* *(I)* *THE SECRETARY MAY SUSPEND A DEALER'S LICENSE IF THE LICENSEE* **IS NOT IN COMPLIANCE WITH THE RECORD KEEPING AND REPORTING REQUIREMENTS OF § 5–145 OF THIS SUBTITLE.**

(II) *THE SECRETARY MAY LIFT A SUSPENSION UNDER THIS PARAGRAPH AFTER THE LICENSEE PROVIDES EVIDENCE THAT THE RECORD KEEPING VIOLATION HAS BEEN CORRECTED.*

5–115.

(a) (1) A person whose dealer's license is suspended or revoked **OR WHO IS FINED FOR A VIOLATION OF THIS SUBTITLE** and who is aggrieved by the action of the Secretary may request a hearing by writing to the Secretary within 30 days after the Secretary forwards notice to the applicant under § 5–114(c) of this subtitle.

(2) The Secretary shall grant the hearing within 15 days after receiving the request.

(b) The hearing shall be held in accordance with Title 10, Subtitle 2 of the State Government Article.

5–117.1.

(A) THIS SECTION DOES NOT APPLY TO:

(1) A LICENSED FIREARMS MANUFACTURER;

(2) A LAW ENFORCEMENT OFFICER OR PERSON WHO IS RETIRED IN GOOD STANDING FROM SERVICE WITH A LAW ENFORCEMENT AGENCY OF THE UNITED STATES, THE STATE, OR A LOCAL LAW ENFORCEMENT AGENCY OF THE STATE; ~~OR~~

(3) A MEMBER OR RETIRED MEMBER OF THE ARMED FORCES OF THE UNITED STATES ~~OR,~~ *OR* THE NATIONAL GUARD~~, *OR THE MARYLAND DEFENSE FORCE*~~; *OR*

(4) A PERSON PURCHASING, RENTING, OR RECEIVING AN ANTIQUE, CURIO, OR RELIC FIREARM, AS DEFINED IN FEDERAL LAW OR IN DETERMINATIONS PUBLISHED BY THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.

~~(A)~~ **(B) A DEALER OR ANY OTHER PERSON MAY NOT SELL, RENT, OR TRANSFER A ~~REGULATED FIREARM~~ *HANDGUN* TO A PURCHASER, LESSEE, OR TRANSFEREE UNLESS THE PURCHASER, LESSEE, OR TRANSFEREE PRESENTS TO THE DEALER OR OTHER PERSON A VALID ~~REGULATED FIREARM~~ HANDGUN**

QUALIFICATION LICENSE ISSUED TO THE PURCHASER, LESSEE, OR TRANSFEREE BY THE SECRETARY UNDER THIS SECTION.

~~(B)~~ (C) A PERSON MAY PURCHASE, RENT, OR RECEIVE A HANDGUN ONLY IF THE PERSON:

(1) (I) POSSESSES A VALID HANDGUN QUALIFICATION LICENSE ISSUED TO THE PERSON BY THE SECRETARY IN ACCORDANCE WITH THIS SECTION; ~~AND~~

(II) POSSESSES VALID CREDENTIALS FROM A LAW ENFORCEMENT AGENCY OR RETIREMENT CREDENTIALS FROM A LAW ENFORCEMENT AGENCY; ~~OR~~

(III) IS AN ACTIVE OR RETIRED MEMBER OF THE ARMED FORCES OF THE UNITED STATES ~~OR,~~ *OR* THE NATIONAL GUARD~~, *OR THE MARYLAND DEFENSE FORCE*~~ AND POSSESSES A VALID MILITARY IDENTIFICATION CARD; ~~AND~~ *OR*

(IV) IS PURCHASING, RENTING, OR RECEIVING AN ANTIQUE, CURIO, OR RELIC FIREARM, AS DEFINED IN FEDERAL LAW OR IN DETERMINATIONS PUBLISHED BY THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES; AND

(2) IS NOT OTHERWISE PROHIBITED FROM PURCHASING OR POSSESSING A HANDGUN UNDER STATE OR FEDERAL LAW.

~~(C)~~ (D) SUBJECT TO SUBSECTIONS ~~(E) AND (F)~~ (F) AND (G) OF THIS SECTION, THE SECRETARY SHALL ISSUE A HANDGUN QUALIFICATION LICENSE TO A PERSON WHO THE SECRETARY FINDS:

(1) ~~*(I)*~~ IS AT LEAST 21 YEARS OLD; ~~*OR*~~

~~*(II) IS AT LEAST 18 YEARS OLD IF THE PERSON IS A MEMBER OF THE UNITED STATES ARMED FORCES, THE NATIONAL GUARD, OR THE MARYLAND DEFENSE FORCE;*~~

(2) IS A RESIDENT OF THE STATE;

(3) EXCEPT AS PROVIDED IN SUBSECTION ~~(D)~~ (E) OF THIS SECTION, HAS DEMONSTRATED SATISFACTORY COMPLETION~~,~~ :

~~(I),~~ WITHIN ~~1 YEAR~~ 3 YEARS PRIOR TO THE SUBMISSION OF THE APPLICATION, OF A FIREARMS SAFETY TRAINING COURSE APPROVED BY THE SECRETARY THAT INCLUDES:

~~(I)~~ ~~1.~~ *(I)* A MINIMUM OF ~~8~~ 4 HOURS OF INSTRUCTION BY A QUALIFIED HANDGUN INSTRUCTOR;

~~(II)~~ ~~2.~~ *(II)* CLASSROOM INSTRUCTION ON:

~~1. A.~~ *1.* STATE FIREARM LAW;

~~2. B.~~ *2.* HOME FIREARM SAFETY; AND

~~3. C.~~ *3.* HANDGUN MECHANISMS AND OPERATION; AND

~~(III)~~ ~~(II)~~ *(III)* ~~WITHIN 10 YEARS PRIOR TO THE SUBMISSION OF THE APPLICATION, OF A FIREARMS SAFETY TRAINING COURSE APPROVED BY THE SECRETARY THAT INCLUDES~~ A FIREARMS ~~QUALIFICATION COMPONENT THAT DEMONSTRATES THE PERSON'S PROFICIENCY AND USE OF THE~~ *ORIENTATION COMPONENT THAT DEMONSTRATES THE PERSON'S SAFE OPERATION AND HANDLING OF A* FIREARM; AND

(4) BASED ON AN INVESTIGATION, IS NOT PROHIBITED BY FEDERAL OR STATE LAW FROM PURCHASING OR POSSESSING A HANDGUN.

~~(D)~~ (E) AN APPLICANT FOR A HANDGUN QUALIFICATION LICENSE IS NOT REQUIRED TO COMPLETE A FIREARMS SAFETY TRAINING COURSE UNDER SUBSECTION ~~(C)~~ (D) OF THIS SECTION IF THE APPLICANT:

(1) ~~IS A LAW ENFORCEMENT OFFICER OF THE UNITED STATES, THE STATE, OR ANY LOCAL LAW ENFORCEMENT AGENCY IN THE STATE;~~

~~(2) IS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR THE NATIONAL GUARD; OR~~

~~(3)~~ HAS COMPLETED A CERTIFIED FIREARMS TRAINING COURSE APPROVED BY THE SECRETARY; ~~OR~~

(2) HAS COMPLETED A COURSE OF INSTRUCTION IN COMPETENCY AND SAFETY IN THE HANDLING OF FIREARMS PRESCRIBED BY THE DEPARTMENT OF NATURAL RESOURCES UNDER § 10–301.1 OF THE NATURAL RESOURCES ARTICLE;

~~(2)~~ *(3)* IS ~~CURRENTLY A CERTIFIED FIREARMS INSTRUCTOR WHO:~~

~~(I) IS RECOGNIZED BY THE MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSIONS;~~

~~(II) HAS A QUALIFIED HANDGUN INSTRUCTOR LICENSE ISSUED BY THE SECRETARY; OR~~

~~(III) HAS A CERTIFICATION ISSUED AND RECOGNIZED BY A NATIONAL ORGANIZATION~~ *A QUALIFIED HANDGUN INSTRUCTOR*; ~~OR~~

~~(3)~~ *(4)* IS AN HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR THE NATIONAL GUARD; ~~OR~~

~~(4)~~ *(5)* IS AN EMPLOYEE OF AN ARMORED CAR COMPANY AND HAS A PERMIT ISSUED UNDER TITLE 5, SUBTITLE 3 OF THE PUBLIC SAFETY ARTICLE *; OR*

(6) LAWFULLY OWNS A REGULATED FIREARM.

~~(E)~~ (F) (1) IN THIS SUBSECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(2) ~~IN ORDER TO OBTAIN A HANDGUN QUALIFICATION LICENSE, AN APPLICANT SHALL APPLY TO THE CENTRAL REPOSITORY FOR A NATIONAL AND STATE CRIMINAL HISTORY RECORDS CHECK~~ THE SECRETARY SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK FOR EACH APPLICANT FOR A HANDGUN QUALIFICATION LICENSE.

(3) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, THE ~~APPLICANT~~ SECRETARY SHALL SUBMIT TO THE CENTRAL REPOSITORY:

(I) ~~TWO COMPLETE SETS~~ A COMPLETE SET OF THE APPLICANT'S LEGIBLE FINGERPRINTS TAKEN IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(II) THE FEE AUTHORIZED UNDER § 10–221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

(III) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(4) THE CENTRAL REPOSITORY SHALL PROVIDE A RECEIPT TO THE APPLICANT FOR THE FEES PAID IN ACCORDANCE WITH PARAGRAPH (3)(II) AND (III) OF THIS SUBSECTION.

(5) IN ACCORDANCE WITH §§ 10–201 THROUGH 10–234 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE APPLICANT AND THE SECRETARY A PRINTED STATEMENT OF THE APPLICANT'S CRIMINAL HISTORY INFORMATION.

(6) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION:

(I) IS CONFIDENTIAL AND MAY NOT BE DISSEMINATED; AND

(II) SHALL BE USED ONLY FOR THE LICENSING PURPOSE AUTHORIZED BY THIS SECTION.

(7) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE DEPARTMENT OF STATE POLICE LICENSING DIVISION A REVISED PRINTED STATEMENT OF THE APPLICANT'S OR LICENSEE'S STATE CRIMINAL HISTORY RECORD.

~~(F)~~ (G) AN APPLICANT FOR A HANDGUN QUALIFICATION LICENSE SHALL SUBMIT TO THE SECRETARY:

(1) AN APPLICATION IN THE MANNER AND FORMAT DESIGNATED BY THE SECRETARY;

(2) A NONREFUNDABLE APPLICATION FEE ~~OF $100~~ TO COVER THE COSTS TO ADMINISTER THE PROGRAM *OF* UP TO ~~$50~~ ~~$25~~ *$50*;

(3) *(I)* PROOF OF SATISFACTORY COMPLETION OF*:*

1. A FIREARMS SAFETY TRAINING COURSE APPROVED BY THE SECRETARY*; OR*

2. A COURSE OF INSTRUCTION IN COMPETENCY AND SAFETY IN THE HANDLING OF FIREARMS PRESCRIBED BY THE DEPARTMENT OF NATURAL RESOURCES UNDER § 10–301.1 OF THE NATURAL RESOURCES ARTICLE; OR

(II) A VALID FIREARMS INSTRUCTOR CERTIFICATION;

(4) ANY OTHER IDENTIFYING INFORMATION OR DOCUMENTATION REQUIRED BY THE SECRETARY; AND

(5) A STATEMENT MADE BY THE APPLICANT UNDER THE PENALTY OF PERJURY THAT THE APPLICANT IS NOT PROHIBITED UNDER FEDERAL OR STATE LAW FROM POSSESSING A HANDGUN.

~~(G)~~ (H) *(1)* **WITHIN 30 DAYS AFTER RECEIVING A PROPERLY COMPLETED APPLICATION, THE SECRETARY SHALL ISSUE TO THE APPLICANT:**

~~(1)~~ *(I)* **A HANDGUN QUALIFICATION LICENSE IF THE APPLICANT IS APPROVED; OR**

~~(2)~~ *(II)* **A WRITTEN DENIAL OF THE APPLICATION THAT CONTAINS*:***

~~(I)~~ *1. THE REASON THE APPLICATION WAS DENIED; AND*

~~(II)~~ *2.* **A STATEMENT OF THE APPLICANT'S APPEAL RIGHTS UNDER SUBSECTION ~~(J)~~ (L) OF THIS SECTION.**

(2) (I) AN INDIVIDUAL WHOSE FINGERPRINTS HAVE BEEN SUBMITTED TO THE CENTRAL REPOSITORY, AND WHOSE APPLICATION HAS BEEN DENIED, MAY REQUEST THAT THE RECORD OF THE FINGERPRINTS BE EXPUNGED BY OBLITERATION.

(II) PROCEEDINGS TO EXPUNGE A RECORD UNDER THIS PARAGRAPH SHALL BE CONDUCTED IN ACCORDANCE WITH § 10–105 OF THE CRIMINAL PROCEDURE ARTICLE.

(III) ON RECEIPT OF AN ORDER TO EXPUNGE A FINGERPRINT RECORD, THE CENTRAL REPOSITORY SHALL EXPUNGE BY OBLITERATION THE FINGERPRINTS SUBMITTED AS PART OF THE APPLICATION PROCESS.

(IV) AN INDIVIDUAL MAY NOT BE CHARGED A FEE FOR THE EXPUNGEMENT OF A FINGERPRINT RECORD IN ACCORDANCE WITH THIS PARAGRAPH.

~~(II)~~ (I) ~~(1)~~ A HANDGUN QUALIFICATION LICENSE ISSUED UNDER THIS SECTION EXPIRES ~~5~~ 10 YEARS FROM THE DATE OF ISSUANCE.

~~(2)~~ (J) (1) THE HANDGUN QUALIFICATION LICENSE MAY BE RENEWED FOR SUCCESSIVE PERIODS OF ~~5~~ 10 YEARS EACH IF, AT THE TIME OF AN APPLICATION FOR RENEWAL, THE APPLICANT ~~POSSESSES THE QUALIFICATIONS FOR THE ISSUANCE OF THE HANDGUN QUALIFICATION LICENSE AND PAYS THE FEES REQUIRED IN SUBSECTIONS (E)(3) AND (F)(2) OF THIS SECTION~~:

(I) POSSESSES THE QUALIFICATIONS FOR THE ISSUANCE OF THE HANDGUN QUALIFICATION LICENSE; AND

(II) SUBMITS A NONREFUNDABLE APPLICATION FEE TO COVER THE COSTS TO ADMINISTER THE PROGRAM UP TO $20.

(2) AN APPLICANT RENEWING A HANDGUN QUALIFICATION LICENSE UNDER THIS SUBSECTION IS NOT REQUIRED TO:

(I) COMPLETE THE FIREARMS SAFETY TRAINING COURSE REQUIRED IN SUBSECTION (D)(3) OF THIS SECTION; OR

(II) SUBMIT TO A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK AS REQUIRED IN SUBSECTION (F) OF THIS SECTION.

~~(I)~~ (K) (1) THE SECRETARY MAY REVOKE A HANDGUN QUALIFICATION LICENSE ISSUED OR RENEWED UNDER THIS SECTION ON A FINDING THAT THE LICENSEE NO LONGER SATISFIES THE QUALIFICATIONS SET FORTH IN SUBSECTION ~~(C)~~ (D) OF THIS SECTION.

(2) A PERSON HOLDING A HANDGUN QUALIFICATION LICENSE THAT HAS BEEN REVOKED BY THE SECRETARY SHALL RETURN THE LICENSE TO THE SECRETARY WITHIN 5 DAYS AFTER RECEIPT OF THE NOTICE OF REVOCATION.

~~(J)~~ (L) (1) A PERSON WHOSE ORIGINAL OR RENEWAL APPLICATION FOR A HANDGUN QUALIFICATION LICENSE IS DENIED OR WHOSE HANDGUN QUALIFICATION LICENSE IS REVOKED, MAY SUBMIT A WRITTEN REQUEST TO THE SECRETARY FOR A HEARING WITHIN 30 DAYS AFTER THE DATE THE WRITTEN NOTICE OF THE DENIAL OR REVOCATION WAS SENT TO THE AGGRIEVED PERSON.

(2) A HEARING UNDER THIS SECTION SHALL BE GRANTED BY THE SECRETARY WITHIN 15 DAYS AFTER THE REQUEST.

(3) A HEARING AND ANY SUBSEQUENT PROCEEDINGS OF JUDICIAL REVIEW UNDER THIS SECTION SHALL BE CONDUCTED IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(4) A HEARING UNDER THIS SECTION SHALL BE HELD IN THE COUNTY OF THE LEGAL RESIDENCE OF THE AGGRIEVED PERSON.

(M) (1) IF AN ORIGINAL OR RENEWAL HANDGUN QUALIFICATION LICENSE IS LOST OR STOLEN, A PERSON MAY SUBMIT A WRITTEN REQUEST TO THE SECRETARY FOR A REPLACEMENT LICENSE.

(2) UNLESS THE APPLICANT IS OTHERWISE DISQUALIFIED, THE SECRETARY SHALL ISSUE A REPLACEMENT HANDGUN QUALIFICATION LICENSE ON RECEIPT OF A WRITTEN REQUEST AND A NONREFUNDABLE FEE TO COVER THE COST OF REPLACEMENT UP TO $20.

(N) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

5–118.

(b) A firearm application shall contain:

(2) the date and time that the firearm applicant delivered the completed firearm application to the prospective seller or transferor; **[**and**]**

(3) a statement by the firearm applicant under the penalty of perjury that the firearm applicant:

(i) ~~*1.*~~ is at least 21 years old; ~~*OR*~~

~~*2. IS AT LEAST 18 YEARS OLD IF THE FIREARM APPLICANT IS A MEMBER OF THE UNITED STATES ARMED FORCES, THE NATIONAL GUARD, OR THE MARYLAND DEFENSE FORCE;*~~

(ii) has never been convicted of a disqualifying crime;

(iii) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;

(iv) is not a fugitive from justice;

(v) is not a habitual drunkard;

(vi) is not addicted to a controlled dangerous substance or is not a habitual user;

(VII) DOES NOT SUFFER FROM A MENTAL DISORDER AS DEFINED IN § 10–101(F)(2) OF THE HEALTH – GENERAL ARTICLE AND HAVE A HISTORY OF VIOLENT BEHAVIOR AGAINST ~~THEMSELVES~~ *THE FIREARM APPLICANT* OR ANOTHER~~, UNLESS THE PERSON HAS A PHYSICIAN'S CERTIFICATE THAT THE PERSON IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PERSON OR TO ANOTHER~~;

~~(vii)~~ **(VIII)** has never ~~spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;~~

~~(viii) is not a respondent against whom a current non-ex parte civil protective order has been entered under § 4–506 of the Family Law Article~~ **BEEN FOUND INCOMPETENT TO STAND TRIAL UNDER § 3–106 OF THE CRIMINAL PROCEDURE ARTICLE;**

(IX) HAS NEVER BEEN FOUND NOT CRIMINALLY RESPONSIBLE UNDER § 3–110 OF THE CRIMINAL PROCEDURE ARTICLE;

(X) ~~HAS NEVER BEEN BEFORE OCTOBER 1, 2013, WAS~~ *HAS* NEVER *BEEN* VOLUNTARILY ADMITTED FOR MORE THAN 30 CONSECUTIVE DAYS TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE;

(XI) HAS NEVER BEEN INVOLUNTARILY COMMITTED TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE;

~~(XII) HAS NEVER BEEN ADMITTED TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE AS THE RESULT OF AN EMERGENCY EVALUATION UNDER § 10–622 OF THE HEALTH – GENERAL ARTICLE OR, IF THE PERSON HAS BEEN ADMITTED TO A FACILITY, POSSESSES A CERTIFICATE FROM THE FACILITY THAT THE PERSON IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PERSON OR TO ANOTHER;~~

~~(XIII)~~ ***(XII)*** **IS NOT UNDER THE PROTECTION OF A GUARDIAN APPOINTED BY A COURT UNDER § 13–201(C) OR § 13–705 OF THE ESTATES AND**

TRUSTS ARTICLE , *EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY*;

~~(XIII)~~ ~~(XIV)~~ *(XIII)* IS NOT A RESPONDENT AGAINST WHOM:

1. A CURRENT NON EX PARTE CIVIL PROTECTIVE ORDER HAS BEEN ENTERED UNDER § 4–506 OF THE FAMILY LAW ARTICLE; OR

2. AN ORDER FOR PROTECTION, AS DEFINED IN § 4–508.1 OF THE FAMILY LAW ARTICLE, HAS BEEN ISSUED BY A COURT OF ANOTHER STATE OR A NATIVE AMERICAN TRIBE AND IS IN EFFECT; **AND**

~~(ix)~~ **~~(XIV)~~** **~~(XV)~~** ***(XIV)*** if under the age of 30 years at the time of application, has not been adjudicated delinquent by a juvenile court for an act that would be a disqualifying crime if committed by an adult**[**; and

(x) subject to § 5–119 of this subtitle, has completed a certified firearms safety training course that the Police Training Commission conducts without charge or that meets the standards that the Police Training Commission establishes under § 3–207 of this article**]; AND**

(4) A COPY OF THE APPLICANT'S HANDGUN QUALIFICATION LICENSE.

[5–119.

A firearm applicant is not required to complete a certified firearms training course required under §§ 5–118 and 5–134 of this subtitle if the firearm applicant:

(1) has already completed a certified firearms training course required under §§ 5–118 and 5–134 of this subtitle;

(2) is a law enforcement officer of the State or any local law enforcement agency in the State;

(3) is a member, retired member, or honorably discharged member of the armed forces of the United States or the National Guard;

(4) is a member of an organization that is required by federal law governing its specific business or activity to maintain handguns and applicable ammunition; or

(5) holds a permit to carry a handgun under Subtitle 3 of this title.**]**

5–120.

(a) (1) On receipt of a firearm application, a licensee or designated law enforcement agency shall promptly forward one copy of it to the Secretary by**[**:

(i) certified mail;

(ii) facsimile machine; or

(iii)**]** electronic means approved by the Secretary.

(2) The copy of the firearm application forwarded to the Secretary shall contain the name, address, and signature of the prospective seller, lessor, or transferor.

(b) (1) The prospective seller, lessor, or transferor shall keep one copy of the firearm application for not less than 3 years.

(2) The firearm applicant is entitled to **[**the remaining**]** **A** copy of the firearm application.

(c) **[**(1) Except as provided in paragraph (2) of this subsection, the**]** **THE** licensee or designated law enforcement agency shall forward the $10 application fee with the firearm application to the Secretary.

[(2) A licensee or designated law enforcement agency that uses a facsimile machine to forward the firearm application to the Secretary shall:

(i) be billed $10 for each firearm application forwarded to the Secretary during the month; and

(ii) pay the total application fee by the fifteenth day of the following month.**]**

5–133.

(a) This section supersedes any restriction that a local jurisdiction in the State imposes on the possession by a private party of a regulated firearm, and the State preempts the right of any local jurisdiction to regulate the possession of a regulated firearm.

(b) **[**A**]** **SUBJECT TO § 5–133.3 OF THIS SUBTITLE, A** person may not possess a regulated firearm if the person:

(1) has been convicted of a disqualifying crime;

(2) has been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;

(3) is a fugitive from justice;

(4) is a habitual drunkard;

(5) is addicted to a controlled dangerous substance or is a habitual user;

~~(6)~~ **[**~~suffers from a mental disorder as defined in § 10–101(f)(2) of the Health – General Article and has a history of violent behavior against the person or another, unless the person has a physician's certificate that the person is capable of possessing a regulated firearm without undue danger to the person or to another, unless the person has a physician's certificate that the person is capable of possessing a regulated firearm without undue danger to the person or to another~~**];**

(6) SUFFERS FROM A MENTAL DISORDER AS DEFINED IN § 10–101(F)(2) OF THE HEALTH – GENERAL ARTICLE AND HAS A HISTORY OF VIOLENT BEHAVIOR AGAINST THE PERSON OR ANOTHER;

(7) HAS BEEN FOUND INCOMPETENT TO STAND TRIAL UNDER § 3–106 OF THE CRIMINAL PROCEDURE ARTICLE;

~~(7)~~ **(8) HAS BEEN FOUND NOT CRIMINALLY RESPONSIBLE UNDER § 3–110 OF THE CRIMINAL PROCEDURE ARTICLE;**

[(7)**]** ~~(8)~~ **(9)** has been **[**~~confined~~ **VOLUNTARILY ADMITTED** for more than 30 consecutive days to~~] A PATIENT IN~~ a facility as defined in § 10–101 of the Health – General Article ~~BEFORE OCTOBER 1, 2013~~**[**, unless the person has a physician's certificate that the person is capable of possessing a regulated firearm without undue danger to the person or to another**]** ~~AND:~~**;**

~~(I)~~ ~~(10) HAS BEEN A VOLUNTARY OR AN INVOLUNTARY PATIENT FOR 30 CONSECUTIVE DAYS OR MORE; OR~~

~~(II) HAS BEEN DETERMINED BY A COURT TO BE UNABLE TO SAFELY POSSESS A FIREARM BASED ON CREDIBLE EVIDENCE OF DANGEROUSNESS TO OTHERS INVOLUNTARILY COMMITTED TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE;~~

~~(9)~~ ~~(11) HAS BEEN ADMITTED TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE AS THE RESULT OF AN EMERGENCY EVALUATION UNDER § 10–622 OF THE HEALTH – GENERAL ARTICLE, UNLESS THE PERSON HAS A CERTIFICATE FROM THE FACILITY THAT THE PERSON IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PERSON OR TO ANOTHER;~~

(10) HAS BEEN INVOLUNTARILY COMMITTED TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE;

~~(12)~~ *(11)* IS UNDER THE PROTECTION OF A GUARDIAN APPOINTED BY A COURT UNDER § 13–201(C) OR § 13–705 OF THE ESTATES AND TRUSTS ARTICLE *, EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY*;

[(8)**]** ~~(10)~~ ~~(12)~~ ~~(13)~~ *(12)* except as provided in subsection (e) of this section, is a respondent against whom **[**a current non ex parte civil protective order has been entered under § 4–506 of the Family Law Article; or**]:**

(I) A CURRENT NON EX PARTE CIVIL PROTECTIVE ORDER HAS BEEN ENTERED UNDER § 4–506 OF THE FAMILY LAW ARTICLE; OR

(II) AN ORDER FOR PROTECTION, AS DEFINED IN § 4–508.1 OF THE FAMILY LAW ARTICLE, HAS BEEN ISSUED BY A COURT OF ANOTHER STATE OR A NATIVE AMERICAN TRIBE AND IS IN EFFECT; OR

[(9)**]** ~~(11)~~ ~~(13)~~ ~~(14)~~ *(13)* if under the age of 30 years at the time of possession, has been adjudicated delinquent by a juvenile court for an act that would be a disqualifying crime if committed by an adult.

(c) (1) A person may not possess a regulated firearm if the person was previously convicted of:

(i) a crime of violence;

(ii) a violation of § 5–602, § 5–603, § 5–604, § 5–605, § 5–612, § 5–613, or § 5–614 of the Criminal Law Article; or

(iii) an offense under the laws of another state or the United States that would constitute one of the crimes listed in item (i) or (ii) of this paragraph if committed in this State.

(2) (i) Subject to paragraph (3) of this subsection, a person who violates this subsection is guilty of a felony and on conviction is subject to imprisonment for not less than 5 years and not exceeding 15 years.

(ii) The court may not suspend any part of the mandatory minimum sentence of 5 years.

(iii) Except as otherwise provided in § 4–305 of the Correctional Services Article, the person is not eligible for parole during the mandatory minimum sentence.

(3) At the time of the commission of the offense, if a period of more than 5 years has elapsed since the person completed serving the sentence for the most recent conviction under paragraph (1)(i) or (ii) of this subsection, including all imprisonment, mandatory supervision, probation, and parole:

(i) the imposition of the mandatory minimum sentence is within the discretion of the court; and

(ii) the mandatory minimum sentence may not be imposed unless the State's Attorney notifies the person in writing at least 30 days before trial of the State's intention to seek the mandatory minimum sentence.

(4) Each violation of this subsection is a separate crime.

(d) (1) Except as provided in paragraph (2) of this subsection, a person who is under the age of 21 years may not possess a regulated firearm.

(2) Unless a person is otherwise prohibited from possessing a regulated firearm, this subsection does not apply to:

(i) the temporary transfer or possession of a regulated firearm if the person is:

1. under the supervision of another who is at least 21 years old and who is not prohibited by State or federal law from possessing a firearm; and

2. acting with the permission of the parent or legal guardian of the transferee or person in possession;

(ii) the transfer by inheritance of title, and not of possession, of a regulated firearm;

(iii) a member of the armed forces of the United States or the National Guard *while performing official duties* ~~while performing official duties~~;

(iv) the temporary transfer or possession of a regulated firearm if the person is:

1. participating in marksmanship training of a recognized organization; and

2. under the supervision of a qualified instructor;

(v) a person who is required to possess a regulated firearm for employment and who holds a permit under Subtitle 3 of this title; or

(vi) the possession of a firearm for self–defense or the defense of others against a trespasser into the residence of the person in possession or into a residence in which the person in possession is an invited guest.

(e) This section does not apply to a respondent transporting a regulated firearm if the respondent is carrying a civil protective order requiring the surrender of the regulated firearm and:

(1) the regulated firearm is unloaded;

(2) the respondent has notified the law enforcement unit, barracks, or station that the regulated firearm is being transported in accordance with the civil protective order; and

(3) the respondent transports the regulated firearm directly to the law enforcement unit, barracks, or station.

5–133.1.

(A) IN THIS SECTION, "AMMUNITION" MEANS A CARTRIDGE, SHELL, OR ANY OTHER DEVICE CONTAINING EXPLOSIVE OR INCENDIARY MATERIAL DESIGNED AND INTENDED FOR USE IN A FIREARM.

(B) A PERSON MAY NOT POSSESS AMMUNITION IF THE PERSON IS PROHIBITED FROM POSSESSING A REGULATED FIREARM UNDER § 5–133 (B) OR (C) OF THIS SUBTITLE.

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING $1000 OR BOTH.

5–133.2.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "FACILITY" HAS THE MEANING STATED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE.

(3) "NICS INDEX" MEANS THE FEDERAL BUREAU OF INVESTIGATION'S NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

(B) (1) A COURT SHALL PROMPTLY REPORT INFORMATION REQUIRED IN PARAGRAPH (2) OF THIS SUBSECTION THROUGH A SECURE DATA PORTAL APPROVED BY THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES IF A COURT:

(I) DETERMINES THAT A PERSON IS NOT CRIMINALLY RESPONSIBLE UNDER § 3–110 OF THE CRIMINAL PROCEDURE ARTICLE;

(II) FINDS THAT A PERSON IS INCOMPETENT TO STAND TRIAL UNDER § 3–106 OF THE CRIMINAL PROCEDURE ARTICLE; OR

(III) FINDS UNDER § 13–201(C) OR § 13–705 OF THE ESTATES AND TRUST ARTICLE THAT A PERSON SHOULD BE UNDER THE PROTECTION OF A GUARDIAN, *EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY*.

(2) ON A FINDING OR DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE FOLLOWING INFORMATION SHALL BE REPORTED TO THE NICS INDEX:

(I) THE NAME AND IDENTIFYING INFORMATION OF THE PERSON; AND

(II) THE DATE OF THE DETERMINATION OR FINDING.

(C) (1) A FACILITY SHALL REPORT INFORMATION REQUIRED IN PARAGRAPH (2) OF THIS SUBSECTION REGARDING A PERSON ADMITTED TO THE FACILITY UNDER § 10–609 OF THE HEALTH – GENERAL ARTICLE OR COMMITTED TO THE FACILITY UNDER TITLE 10, SUBTITLE 6, PART III OF THE HEALTH – GENERAL ARTICLE TO THE NICS INDEX THROUGH A SECURE DATA PORTAL APPROVED BY THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, IF:

(I) THE PERSON HAS BEEN ADMITTED ~~OR COMMITTED~~ TO A FACILITY FOR 30 CONSECUTIVE DAYS OR MORE; OR

(II) ~~IN THE CASE OF AN INVOLUNTARY ADMISSION TO A FACILITY, A COURT MAKES A DETERMINATION THAT THE PERSON CANNOT SAFELY POSSESS A FIREARM BASED ON CREDIBLE EVIDENCE OF DANGEROUSNESS TO OTHERS~~ THE PERSON HAS BEEN INVOLUNTARILY COMMITTED TO A FACILITY.

(2) ON ADMISSION TO A FACILITY THE FOLLOWING INFORMATION SHALL BE REPORTED TO THE NICS INDEX:

(I) THE NAME AND IDENTIFYING INFORMATION OF THE PERSON ADMITTED OR COMMITTED;

(II) THE DATE THE PERSON WAS ADMITTED OR COMMITTED TO THE FACILITY; AND

(III) THE NAME OF THE FACILITY TO WHICH THE PERSON WAS ADMITTED OR COMMITTED.

~~**5–133.3.**~~

~~**(A) IN THIS SECTION, "HEALTH DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.**~~

~~**(B) A PERSON SUBJECT TO A REGULATED FIREARMS DISQUALIFICATION UNDER § 5–133(B)(6), (7), (8), OR (9) (9), (10), OR (11) (11), OR (12) OF THIS SUBTITLE OR A RIFLE OR SHOTGUN DISQUALIFICATION UNDER § 5–205(B)(6), (7), (8), (9), (10), OR (11) (11), OR (12) OF THIS TITLE MAY BE AUTHORIZED TO POSSESS A FIREARM IF:**~~

~~**(1) THE PERSON IS NOT SUBJECT TO ANOTHER FIREARMS RESTRICTION UNDER STATE OR FEDERAL LAW; AND**~~

~~**(2) THE HEALTH DEPARTMENT, IN ACCORDANCE WITH THIS SECTION, DETERMINES THAT THE PERSON MAY POSSESS A FIREARM.**~~

~~**(C) A PERSON WHO SEEKS RELIEF FROM A FIREARMS DISQUALIFICATION SHALL FILE AN APPLICATION WITH THE HEALTH DEPARTMENT IN THE FORM AND MANNER SET BY THE HEALTH DEPARTMENT.**~~

~~**(D) (1) AN APPLICANT SHALL PROVIDE COMPLETE AND ACCURATE DATA ON ALL INFORMATION REQUIRED IN AN APPLICATION UNDER THIS SECTION.**~~

~~**(2) THE APPLICANT SHALL INCLUDE THE FOLLOWING INFORMATION IN THE APPLICATION:**~~

~~**(I) THE REASON WHY THE APPLICANT IS PROHIBITED FROM POSSESSING A REGULATED FIREARM UNDER § 5–133(B)(6), (7), (8), OR (9) (9), (10), OR (11) (11), OR (12) OF THIS SUBTITLE OR A RIFLE OR SHOTGUN UNDER § 5–205(B)(6), (7), (8), (9), (10), OR (11) (11), OR (12) OF THIS TITLE AND WHY THE APPLICANT SHOULD BE RELIEVED FROM THAT PROHIBITION;**~~

~~(II) A CERTIFICATE ON A FORM APPROVED BY THE HEALTH DEPARTMENT AND SIGNED BY AN INDIVIDUAL LICENSED IN THE STATE AS A PHYSICIAN WHO IS BOARD–CERTIFIED IN PSYCHIATRY OR AS A PSYCHOLOGIST AND LISTED IN THE NATIONAL REGISTER OF HEALTH SERVICE PROVIDERS IN PSYCHOLOGY THAT PROVIDES:~~

~~1. THAT THE CERTIFICATE WAS ISSUED WITHIN 30 DAYS OF THE DATE OF THE FILING OF THE PETITION;~~

~~2. THAT THE APPLICANT HAS BEEN EVALUATED AND THE SIGNATORY REASONABLY BELIEVES THAT THE APPLICANT IS COMPETENT TO UNDERSTAND AND COMPLY WITH THE RULES, REGULATIONS, AND LAW GOVERNING FIREARM OWNERSHIP AND POSSESSION AND THE RISKS AND RESPONSIBILITIES INHERENT TO FIREARM OWNERSHIP;~~

~~3. THAT THERE IS NO REASON TO BELIEVE THAT THE PERSON WILL BECOME INCOMPETENT IN THE FORESEEABLE FUTURE;~~

~~4. AN OPINION AS TO WHETHER THE APPLICANT WILL BE LIKELY TO ACT IN A MANNER THAT IS DANGEROUS TO SELF OR PUBLIC SAFETY; AND~~

~~5. AN OPINION ON WHETHER GRANTING A FIREARM HANDGUN QUALIFICATION LICENSE UNDER § 5–117 § 5–117.1 OF THIS SUBTITLE OR AUTHORIZING A PERSON TO POSSESS A RIFLE OR SHOTGUN WOULD BE CONTRARY TO THE PUBLIC INTEREST;~~

~~(III) A SIGNED AUTHORIZATION, ON A FORM APPROVED BY THE HEALTH DEPARTMENT ALLOWING THE HEALTH DEPARTMENT TO ACCESS ALL RELEVANT HEALTH CARE, MENTAL HEALTH, DISABILITY, GUARDIANSHIP, AND CRIMINAL JUSTICE RECORDS, INCLUDING COURT ORDERED OR REQUIRED MENTAL HEALTH RECORDS, OF THE APPLICANT FOR USE WITH THE DISQUALIFICATION AND HEARING PROCESS;~~

~~(IV) THREE STATEMENTS ON A FORM DESIGNATED BY THE HEALTH DEPARTMENT ATTESTING TO THE APPLICANT'S REPUTATION AND CHARACTER RELEVANT TO FIREARM OWNERSHIP OR POSSESSION; AND~~

~~(V) ANY OTHER INFORMATION REQUIRED BY THE HEALTH DEPARTMENT.~~

~~(3) (I) AT LEAST TWO OF THE STATEMENTS REQUIRED UNDER PARAGRAPH (2)(IV) OF THIS SUBSECTION SHALL BE PROVIDED BY AN INDIVIDUAL WHO IS NOT RELATED TO THE APPLICANT.~~

~~(II) STATEMENTS PROVIDED UNDER PARAGRAPH (2)(IV) OF THIS SUBSECTION MUST BE SIGNED AND DATED WITHIN 30 DAYS OF SUBMISSION TO THE HEALTH DEPARTMENT AND PROVIDE CONTACT INFORMATION FOR EACH INDIVIDUAL PROVIDING A STATEMENT.~~

~~(4) IF THE APPLICANT IS PROHIBITED FROM FIREARM OWNERSHIP UNDER § 5–133(B)(9) § 5–133(B)(11) § 5–133(B)(12) OF THIS SUBTITLE OR § 5–205(B)(11) § 5–205(B)(12) OF THIS TITLE, THE FOLLOWING ADDITIONAL INFORMATION SHALL BE INCLUDED IN AN APPLICATION FOR RELIEF FROM THE PROHIBITION:~~

~~(I) A COPY OF ALL PLEADINGS, AFFIDAVITS, AND CERTIFICATES SUBMITTED INTO EVIDENCE AT THE GUARDIANSHIP PROCEEDING; AND~~

~~(II) ALL ORDERS ISSUED BY THE COURT RELATING TO THE GUARDIANSHIP, INCLUDING, IF APPLICABLE, AN ORDER INDICATING THAT THE GUARDIANSHIP IS NO LONGER IN EFFECT.~~

~~(5) IF THE APPLICANT IS PROHIBITED FROM FIREARM OWNERSHIP UNDER § 5–133(B)(6), (7), OR (8) (8), (9), OR (10) (10), OR (11) OF THIS SUBTITLE OR § 5–205(B)(6), (7), (8), (9), OR (10) (10), OR (11) OF THIS TITLE, THE CERTIFICATE REQUIRED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION SHALL ALSO INCLUDE:~~

~~(I) AN OPINION AS TO WHETHER THE APPLICANT HAS SYMPTOMS OF A MENTAL DISORDER OR DEVELOPMENTAL DISABILITY THAT CAUSES THE APPLICANT TO BE A DANGER TO SELF OR OTHERS;~~

~~(II) IF THE APPLICANT HAS NO SYMPTOMS THAT CAUSE THE APPLICANT TO BE A DANGER, HOW MANY MONTHS THE APPLICANT HAS NOT HAD SYMPTOMS OF A MENTAL DISORDER OR DEVELOPMENTAL DISABILITY THAT CAUSED THE APPLICANT TO BE A DANGER TO SELF OR OTHERS;~~

~~(III) THE TIME PERIOD THE APPLICANT HAS BEEN COMPLIANT WITH TREATMENT RECOMMENDATIONS FOR THE INDIVIDUAL'S MENTAL ILLNESS;~~

~~(IV) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF ALL MENTAL HEALTH PROVIDERS OR SERVICE PROVIDERS SEEN WITHIN THE LAST 12 MONTHS;~~

~~(V) IF THE APPLICANT WAS FOUND NOT GUILTY BY REASON OF INSANITY OR NOT CRIMINALLY RESPONSIBLE, A STATEMENT ATTESTING TO WHETHER THE APPLICANT IS ON CONDITIONAL RELEASE UNDER § 3–114 OF THE CRIMINAL PROCEDURE ARTICLE; AND~~

~~(VI) IF THE APPLICANT WAS FOUND NOT COMPETENT TO STAND TRIAL AND DANGEROUS, A WRITTEN STATEMENT REGARDING THE STATUS OF THE RELATED CRIMINAL CHARGE.~~

~~(E) THE HEALTH DEPARTMENT MAY NOT APPROVE AN APPLICATION UNDER THIS SECTION IF A DETERMINATION IS MADE THAT:~~

~~(1) THE APPLICANT SUPPLIED FALSE INFORMATION OR MADE A FALSE STATEMENT;~~

~~(2) THE APPLICATION IS NOT PROPERLY COMPLETED; OR~~

~~(3) ON REVIEW OF THE APPLICATION AND SUPPORTING DOCUMENTATION AND ANY OTHER INFORMATION RELATING TO THE APPLICATION REQUESTED BY THE HEALTH DEPARTMENT, THE APPLICANT HAS NOT SHOWN BY CLEAR AND CONVINCING EVIDENCE THAT THE APPLICANT WILL BE UNLIKELY TO ACT IN A MANNER DANGEROUS TO SELF OR PUBLIC SAFETY AND THAT GRANTING A PERMIT TO POSSESS A REGULATED FIREARM OR AUTHORIZING THE POSSESSION OF A RIFLE OR SHOTGUN WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST.~~

~~(F) (1) IF THE HEALTH DEPARTMENT DETERMINES THAT THE APPLICATION SHALL BE APPROVED ON REVIEW UNDER SUBSECTION (E)(3) OF THIS SECTION, THE HEALTH DEPARTMENT SHALL PROVIDE THE APPLICANT WITH A CERTIFICATE AFFIRMING THE APPLICANT'S MENTAL COMPETENCE TO POSSESS A REGULATED FIREARM.~~

~~(2) A CERTIFICATE UNDER THIS SUBSECTION SHALL BE PRESENTED TO THE DEPARTMENT OF STATE POLICE AS EVIDENCE OF THE APPLICANT'S ELIGIBILITY TO POSSESS A REGULATED FIREARM.~~

~~(G) AN APPLICANT WHO IS AGGRIEVED BY THE ACTION OF THE HEALTH DEPARTMENT MAY REQUEST A HEARING BY WRITING TO THE SECRETARY OF HEALTH AND MENTAL HYGIENE WITHIN 30 DAYS AFTER THE HEALTH DEPARTMENT MAILS THE DECISION TO THE APPLICANT.~~

~~(H) THE HEARING SHALL BE HELD IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE WITHIN 60 DAYS AFTER THE HEALTH DEPARTMENT RECEIVES THE REQUEST.~~

~~(I) IF THE APPLICANT REQUESTS A HEARING, THE ADMINISTRATIVE LAW JUDGE SHALL CONDUCT A HEARING AT WHICH THE APPLICANT MAY TESTIFY AND PROVIDE OTHER EVIDENCE.~~

~~(J) AT A HEARING, THE APPLICANT IS REQUIRED TO PROVIDE EVIDENCE THAT:~~

~~(1) THE APPLICANT DOES NOT HAVE SYMPTOMS OF A MENTAL DISORDER THAT WOULD CAUSE THE APPLICANT TO BE A DANGER TO SELF OR OTHERS AND HAS NOT HAD SYMPTOMS OF A MENTAL DISORDER FOR AT LEAST 6 MONTHS;~~

~~(2) THE APPLICANT DOES NOT HAVE A MENTAL DISORDER OR MENTAL HEALTH CONDITION THAT PREVENTS THE APPLICANT FROM UNDERSTANDING THE RULES, REGULATIONS, AND LAWS GOVERNING FIREARM OWNERSHIP AND POSSESSION, OR THE RESPONSIBILITIES AND RISKS INVOLVED IN FIREARM OWNERSHIP AND POSSESSION;~~

~~(3) THE APPLICANT IS NOT LIKELY TO ACT IN A MANNER DANGEROUS TO PUBLIC SAFETY;~~

~~(4) GRANTING RELIEF WOULD NOT BE CONTRARY TO PUBLIC INTEREST; AND~~

~~(5) THE APPLICANT IS NOT OTHERWISE PROHIBITED FROM OWNING OR POSSESSING A FIREARM.~~

~~(K) AT A HEARING UNDER THIS SECTION, THE HEALTH DEPARTMENT IS A PARTY AND SHALL PROVIDE EVIDENCE REGARDING:~~

~~(1) THE CIRCUMSTANCES UNDER WHICH THE FIREARMS PROHIBITION WAS IMPOSED UNDER STATE OR FEDERAL LAW; AND~~

~~(2) THE APPLICANT'S RECORD, INCLUDING THE APPLICANT'S MENTAL HEALTH AND CRIMINAL HISTORY RECORDS.~~

~~(L) IF THE ADMINISTRATIVE LAW JUDGE FINDS THAT THE APPLICANT HAS MET, BY CLEAR AND CONVINCING EVIDENCE, THE STANDARDS OF SUBSECTION (J) OF THIS SECTION THE ADMINISTRATIVE LAW JUDGE SHALL:~~

~~(1) ISSUE A WRITTEN DETERMINATION THAT THE APPLICANT IS RELIEVED FROM THE FIREARMS DISQUALIFICATION IMPOSED BY 18 U.S.C. § 922(D)(4) AND (G)(4) AND § 5–133(B)(6), (7), (8), OR (9) (9), (10), OR (11) (11),~~

~~OR (12) OF THIS SUBTITLE OR § 5–205(B)(6), (7), (8), (9), (10), OR (11) (11), OR (12) OF THIS TITLE; AND~~

~~(2) PROVIDE TO THE NICS INDEX, THROUGH A SECURE DATA PORTAL APPROVED BY THE DEPARTMENT OF STATE POLICE PUBLIC SAFETY AND CORRECTIONAL SERVICES:~~

~~(I) THE NAME AND IDENTIFYING INFORMATION OF THE APPLICANT; AND~~

~~(II) THE DATE OF THE DETERMINATION.~~

~~(M) AN APPLICANT OR THE HEALTH DEPARTMENT MAY SEEK JUDICIAL REVIEW OF A DETERMINATION OF THE ADMINISTRATIVE LAW JUDGE ON AN APPLICATION UNDER THIS SECTION FOR RELIEF FROM A FIREARMS PROHIBITION IN ACCORDANCE WITH §§ 10–222 AND 10–223 OF THE STATE GOVERNMENT ARTICLE.~~

~~(N) AFTER A DETERMINATION ON THE MERITS OF A HEARING REQUESTED UNDER THIS SECTION, AN APPLICANT MAY NOT REQUEST A SUBSEQUENT HEARING WITHIN 1 YEAR AFTER THE COMPLETION OF THE HEARING PROCESS AND ANY JUDICIAL REVIEW OF THE ADMINISTRATIVE DECISION.~~

~~(O) THE HEALTH DEPARTMENT SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT OF STATE POLICE TO ASSIST IN CLINICAL CONSULTATION AND IMPLEMENTATION OF THIS SECTION.~~

5–133.3.

(A) IN THIS SECTION, "HEALTH DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(B) A PERSON SUBJECT TO A REGULATED FIREARMS DISQUALIFICATION UNDER § 5–133(B)(6), (7), (8), (9), (10), OR (11) OF THIS SUBTITLE, A RIFLE OR SHOTGUN DISQUALIFICATION UNDER § 5–205(B)(6), (7), (8), (9), (10), OR (11) OF THIS TITLE, OR PROHIBITED FROM THE SHIPMENT, TRANSPORTATION, POSSESSION, OR RECEIPT OF A FIREARM BY 18 U.S.C. §§ 922(D)(4) OR (G)(4) AS A RESULT OF AN ADJUDICATION OR COMMITMENT THAT OCCURRED IN THE STATE MAY BE AUTHORIZED TO POSSESS A FIREARM IF:

(1) THE PERSON IS NOT SUBJECT TO ANOTHER FIREARMS RESTRICTION UNDER STATE OR FEDERAL LAW; AND

(2) THE HEALTH DEPARTMENT, IN ACCORDANCE WITH THIS SECTION, DETERMINES THAT THE PERSON MAY POSSESS A FIREARM.

(C) A PERSON WHO SEEKS RELIEF FROM A FIREARMS DISQUALIFICATION SHALL FILE AN APPLICATION WITH THE HEALTH DEPARTMENT IN THE FORM AND MANNER SET BY THE HEALTH DEPARTMENT.

(D) AN APPLICATION FOR RELIEF FROM A FIREARMS DISQUALIFICATION SHALL INCLUDE:

(1) A COMPLETE AND ACCURATE STATEMENT EXPLAINING THE REASON WHY THE APPLICANT IS PROHIBITED FROM POSSESSING A REGULATED FIREARM UNDER § 5–133(B)(6), (7), (8), (9), (10), OR (11) OF THIS SUBTITLE OR A RIFLE OR SHOTGUN UNDER § 5–205(B)(6), (7), (8), (9), (10), OR (11) OF THIS TITLE, OR IS PROHIBITED FROM THE SHIPMENT, TRANSPORTATION, POSSESSION, OR RECEIPT OF A FIREARM BY 18 U.S.C. §§ 922(D)(4) OR (G)(4) AS A RESULT OF AN ADJUDICATION OR COMMITMENT THAT OCCURRED IN THE STATE;

(2) A STATEMENT WHY THE APPLICANT SHOULD BE RELIEVED FROM THE PROHIBITION DESCRIBED IN ITEM (1) OF THIS SUBSECTION;

(3) IF THE APPLICANT IS SUBJECT TO A PROHIBITION DESCRIBED IN ITEM (1) OF THIS SUBSECTION, A CERTIFICATE ISSUED WITHIN 30 DAYS OF THE SUBMISSION OF THE APPLICATION ON A FORM APPROVED BY THE HEALTH DEPARTMENT AND SIGNED BY AN INDIVIDUAL LICENSED IN THE STATE AS A PHYSICIAN WHO IS BOARD CERTIFIED IN PSYCHIATRY OR AS A PSYCHOLOGIST STATING:

(I) THE LENGTH OF TIME THAT THE APPLICANT HAS NOT HAD SYMPTOMS THAT CAUSE THE APPLICANT TO BE A DANGER TO THE APPLICANT OR OTHERS, OR, IF THE DISQUALIFICATION RELATES TO AN INTELLECTUAL DISABILITY, THE LENGTH OF TIME THAT THE APPLICANT HAS NOT ENGAGED IN BEHAVIORS THAT CAUSE THE APPLICANT TO BE A DANGER TO THE APPLICANT OR OTHERS;

(II) THE LENGTH OF TIME THAT THE APPLICANT HAS BEEN COMPLIANT WITH THE TREATMENT PLAN FOR THE APPLICANT'S MENTAL ILLNESS, OR, IF THE DISQUALIFICATION RELATES TO AN INTELLECTUAL DISABILITY, THE LENGTH OF TIME THAT THE APPLICANT HAS BEEN COMPLIANT WITH ANY BEHAVIOR PLAN OR BEHAVIOR MANAGEMENT PLAN;

(III) AN OPINION AS TO WHETHER THE APPLICANT, BECAUSE OF MENTAL ILLNESS, WOULD BE A DANGER TO THE APPLICANT IF ALLOWED TO POSSESS A FIREARM AND A STATEMENT OF REASONS FOR THE OPINION; AND

(IV) AN OPINION AS TO WHETHER THE APPLICANT, BECAUSE OF MENTAL ILLNESS, WOULD BE A DANGER TO ANOTHER PERSON OR POSES A RISK TO PUBLIC SAFETY IF ALLOWED TO POSSESS A FIREARM;

(4) IF THE APPLICANT IS PROHIBITED FROM POSSESSING A FIREARM UNDER § 5–133(B)(11) OF THIS SUBTITLE OR § 5–205(B)(11) OF THIS TITLE:

(I) A COPY OF ALL PLEADINGS, AFFIDAVITS, AND CERTIFICATES SUBMITTED INTO EVIDENCE AT THE GUARDIANSHIP PROCEEDING; AND

(II) ALL ORDERS ISSUED BY THE COURT RELATING TO THE GUARDIANSHIP, INCLUDING, IF APPLICABLE, AN ORDER INDICATING THAT THE GUARDIANSHIP IS NO LONGER IN EFFECT;

(5) A SIGNED AUTHORIZATION, ON A FORM APPROVED BY THE HEALTH DEPARTMENT, ALLOWING THE HEALTH DEPARTMENT TO ACCESS ANY RELEVANT HEALTH CARE, MENTAL HEALTH, DISABILITY, GUARDIANSHIP, AND CRIMINAL JUSTICE RECORDS, INCLUDING COURT ORDERED OR REQUIRED MENTAL HEALTH RECORDS, OF THE APPLICANT FOR USE IN DETERMINING WHETHER THE APPLICANT SHOULD BE RELIEVED FROM A FIREARMS DISQUALIFICATION;

(6) THREE STATEMENTS SIGNED AND DATED WITHIN 30 DAYS OF SUBMISSION TO THE HEALTH DEPARTMENT ON A FORM DESIGNATED BY THE HEALTH DEPARTMENT ATTESTING TO THE APPLICANT'S REPUTATION AND CHARACTER RELEVANT TO FIREARM OWNERSHIP OR POSSESSION INCLUDING:

(I) AT LEAST TWO STATEMENTS PROVIDED BY AN INDIVIDUAL WHO IS NOT RELATED TO THE APPLICANT; AND

(II) CONTACT INFORMATION FOR EACH INDIVIDUAL PROVIDING A STATEMENT; AND

(7) ANY OTHER INFORMATION REQUIRED BY THE HEALTH DEPARTMENT.

(E) THE HEALTH DEPARTMENT MAY NOT APPROVE AN APPLICATION UNDER THIS SECTION IF A DETERMINATION IS MADE THAT:

(1) THE APPLICANT SUPPLIED INCOMPLETE OR FALSE INFORMATION OR MADE A FALSE STATEMENT;

(2) THE APPLICATION IS NOT PROPERLY COMPLETED; OR

(3) ON REVIEW OF THE APPLICATION AND SUPPORTING DOCUMENTATION AND ANY OTHER INFORMATION RELATING TO THE APPLICATION REQUESTED BY THE HEALTH DEPARTMENT, INCLUDING ANY CRIMINAL HISTORY RECORDS AND MENTAL HEALTH RECORDS OF THE APPLICANT, THE APPLICANT HAS NOT SHOWN BY A PREPONDERANCE OF THE EVIDENCE THAT THE APPLICANT WILL BE UNLIKELY TO ACT IN A MANNER DANGEROUS TO THE APPLICANT OR TO PUBLIC SAFETY AND THAT GRANTING A LICENSE TO POSSESS A REGULATED FIREARM OR AUTHORIZING THE POSSESSION OF A RIFLE OR SHOTGUN WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST.

(F) (1) IF THE HEALTH DEPARTMENT DETERMINES THAT THE APPLICATION SHALL BE APPROVED, THE HEALTH DEPARTMENT SHALL PROVIDE THE APPLICANT WITH A CERTIFICATE AFFIRMING THE APPLICANT'S MENTAL COMPETENCE TO POSSESS A FIREARM.

(2) A CERTIFICATE PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION OR A WRITTEN STATEMENT THAT THE INDIVIDUAL IS NOT MENTALLY COMPETENT TO POSSESS A FIREARM SHALL BE PROVIDED TO THE APPLICANT WITHIN 60 DAYS FROM THE HEALTH DEPARTMENT'S RECEIPT OF A COMPLETED APPLICATION, WHICH INCLUDES ANY RECORDS NECESSARY TO REVIEW AN APPLICATION.

(3) A CERTIFICATE ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PRESENTED TO THE DEPARTMENT OF STATE POLICE AS EVIDENCE OF THE APPLICANT'S ELIGIBILITY TO POSSESS A FIREARM.

(G) (1) AN APPLICANT WHO IS AGGRIEVED BY THE ACTION OF THE HEALTH DEPARTMENT UNDER SUBSECTION (E) OF THIS SECTION MAY REQUEST A HEARING IN WRITING TO THE SECRETARY OF HEALTH AND MENTAL HYGIENE WITHIN 30 DAYS AFTER THE HEALTH DEPARTMENT MAILS NOTICE OF THE DECISION TO THE APPLICANT.

(2) (I) THE HEARING REQUESTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE HELD IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE WITHIN 60 DAYS AFTER THE HEALTH DEPARTMENT RECEIVES THE REQUEST.

(II) AT THE HEARING, THE INFORMATION DESCRIBED IN SUBSECTIONS (D) AND (E) OF THIS SECTION SHALL BE CONSIDERED AND USED TO DETERMINE WHETHER THE APPLICANT, IF ALLOWED TO POSSESS A FIREARM, WOULD NOT BE LIKELY TO ACT IN A MANNER DANGEROUS TO THE PUBLIC SAFETY AND WHETHER GRANTING THE RELIEF WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST.

(3) (I) JUDICIAL REVIEW OF THE DETERMINATION ON AN APPLICATION UNDER THIS SECTION FOR RELIEF FROM A FIREARMS PROHIBITION MAY BE SOUGHT IN ACCORDANCE WITH §§ 10–222 AND 10–223 OF THE STATE GOVERNMENT ARTICLE.

(II) NOTWITHSTANDING THE PROVISIONS OF § 10–222 OF THE STATE GOVERNMENT ARTICLE, THE CIRCUIT COURT MAY GIVE DEFERENCE TO THE FINAL DECISION OF THE HEALTH DEPARTMENT AND MAY IN ITS DISCRETION RECEIVE ADDITIONAL EVIDENCE THAT IT DETERMINES TO BE NECESSARY TO CONDUCT AN ADEQUATE REVIEW.

(H) THE BOARD OF REVIEW OF THE HEALTH DEPARTMENT DOES NOT HAVE JURISDICTION TO REVIEW A FINAL DECISION OF THE HEALTH DEPARTMENT UNDER THIS SECTION.

(I) AFTER A DETERMINATION ON THE MERITS OF A HEARING REQUESTED UNDER THIS SECTION, AN APPLICANT MAY NOT REQUEST A SUBSEQUENT HEARING WITHIN 1 YEAR AFTER THE COMPLETION OF THE HEARING PROCESS AND ANY JUDICIAL REVIEW OF THE ADMINISTRATIVE DECISION.

(J) THE SECRETARY OF HEALTH AND MENTAL HYGIENE MAY ADOPT REGULATIONS ESTABLISHING FEES TO COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS SECTION.

(K) AN INDIVIDUAL LICENSED IN THE STATE AS A PHYSICIAN WHO IS BOARD CERTIFIED IN PSYCHIATRY, OR A PSYCHOLOGIST WHO, IN GOOD FAITH AND WITH REASONABLE GROUNDS, ACTS IN COMPLIANCE WITH THIS SECTION, MAY NOT BE HELD CIVILLY OR CRIMINALLY LIABLE FOR ACTIONS AUTHORIZED BY THIS SECTION.

5–143.

(A) (1) A PERSON WHO MOVES INTO THE STATE WITH THE INTENT OF BECOMING A RESIDENT SHALL REGISTER ALL REGULATED FIREARMS WITH THE SECRETARY WITHIN ~~30~~ *90* DAYS AFTER ESTABLISHING RESIDENCY.

(2) THE SECRETARY SHALL PREPARE AND, ON REQUEST OF AN APPLICANT, PROVIDE AN APPLICATION FORM FOR REGISTRATION UNDER THIS SECTION.

(B) AN APPLICATION FOR REGISTRATION UNDER THIS SECTION SHALL CONTAIN:

(1) THE MAKE, MODEL, MANUFACTURER'S SERIAL NUMBER, CALIBER, TYPE, BARREL LENGTH, FINISH, AND COUNTRY OF ORIGIN OF ~~THE~~ *EACH* REGULATED FIREARM; AND

(2) THE FIREARM APPLICANT'S NAME, ADDRESS, SOCIAL SECURITY NUMBER, PLACE AND DATE OF BIRTH, HEIGHT, WEIGHT, RACE, EYE AND HAIR COLOR, SIGNATURE, DRIVER'S OR PHOTOGRAPHIC IDENTIFICATION SOUNDEX NUMBER, AND OCCUPATION.

(C) ~~EACH~~ *AN* APPLICATION FOR REGISTRATION FILED WITH THE SECRETARY OF STATE POLICE SHALL BE ACCOMPANIED BY A NONREFUNDABLE *TOTAL* REGISTRATION FEE OF $15*, REGARDLESS OF THE NUMBER OF FIREARMS REGISTERED*.

(D) REGISTRATION DATA PROVIDED UNDER THIS SECTION IS NOT OPEN TO PUBLIC INSPECTION.

[5–143.**] 5–144.**

(a) Except as otherwise provided in this subtitle, a dealer or other person may not:

(1) knowingly participate in the illegal sale, rental, transfer, purchase, possession, or receipt of a regulated firearm in violation of this subtitle; or

(2) knowingly violate § 5–142 of this subtitle.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding $10,000 or both.

(c) Each violation of this section is a separate crime.

5–145.

(A) (1) A LICENSED DEALER SHALL KEEP RECORDS OF ALL RECEIPTS, SALES, AND OTHER DISPOSITIONS OF FIREARMS AFFECTED IN CONNECTION WITH THE LICENSED DEALER'S BUSINESS.

(2) THE SECRETARY SHALL ADOPT REGULATIONS SPECIFYING:

(I) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE INFORMATION THAT THE RECORDS SHALL CONTAIN;

(II) THE TIME PERIOD FOR WHICH THE RECORDS ARE TO BE KEPT; AND

(III) THE FORM IN WHICH THE RECORDS ARE TO BE KEPT.

(3) THE RECORDS SHALL INCLUDE:

(I) THE NAME AND ADDRESS OF EACH PERSON FROM WHOM THE DEALER ACQUIRES A FIREARM AND TO WHOM THE DEALER SELLS OR OTHERWISE DISPOSES OF A FIREARM;

(II) A PRECISE DESCRIPTION, INCLUDING MAKE, MODEL, CALIBER, AND SERIAL NUMBER OF EACH FIREARM ACQUIRED, SOLD, OR OTHERWISE DISPOSED OF; AND

(III) THE DATE OF EACH ACQUISITION, SALE, OR OTHER DISPOSITION.

(4) ~~THE SECRETARY MAY PROVIDE THAT RECORDS~~ *RECORDS* MAINTAINED UNDER 18 U.S.C. § 923(G)(1)(A) MAY BE USED TO SATISFY THE REQUIREMENTS OF THIS SECTION, *IF THE SECRETARY IS GRANTED ACCESS TO THOSE RECORDS*.

(B) (1) WHEN REQUIRED BY A LETTER ISSUED BY THE SECRETARY, A LICENSEE SHALL SUBMIT TO THE SECRETARY THE INFORMATION REQUIRED TO BE KEPT UNDER SUBSECTION (A) OF THIS SECTION FOR THE TIME PERIODS SPECIFIED BY THE SECRETARY.

(2) THE SECRETARY SHALL DETERMINE THE FORM AND METHOD BY WHICH THE RECORDS SHALL BE MAINTAINED.

(C) WHEN A FIREARMS BUSINESS IS DISCONTINUED AND SUCCEEDED BY A NEW LICENSEE, THE RECORDS REQUIRED TO BE KEPT UNDER THIS SECTION SHALL REFLECT THE BUSINESS DISCONTINUANCE AND SUCCESSION AND SHALL BE DELIVERED TO THE SUCCESSOR LICENSEE.

(D) (1) A LICENSEE SHALL RESPOND WITHIN 48 HOURS AFTER RECEIPT OF A REQUEST FROM THE SECRETARY FOR INFORMATION CONTAINED

IN THE RECORDS REQUIRED TO BE KEPT UNDER THIS SECTION WHEN THE INFORMATION IS REQUESTED IN CONNECTION WITH A BONA FIDE CRIMINAL INVESTIGATION.

(2) THE INFORMATION REQUESTED UNDER THIS SUBSECTION SHALL BE PROVIDED ORALLY OR IN WRITING, AS REQUIRED BY THE SECRETARY.

(3) THE SECRETARY MAY IMPLEMENT A SYSTEM BY WHICH A LICENSEE CAN POSITIVELY ESTABLISH THAT A PERSON REQUESTING INFORMATION BY TELEPHONE IS AUTHORIZED BY THE SECRETARY TO REQUEST THE INFORMATION.

(E) THE SECRETARY MAY MAKE AVAILABLE TO A FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AGENCY ANY INFORMATION THAT THE SECRETARY OBTAINS UNDER THIS SECTION RELATING TO THE IDENTITIES OF PERSONS WHO HAVE UNLAWFULLY PURCHASED OR RECEIVED FIREARMS.

(F) THE SECRETARY:

(1) SHALL INSPECT THE INVENTORY AND RECORDS OF A LICENSED DEALER AT LEAST ONCE EVERY 2 YEARS; AND

(2) MAY INSPECT THE INVENTORY AND RECORDS AT ANY TIME DURING THE NORMAL BUSINESS HOURS OF THE LICENSED DEALER'S BUSINESS.

(G) (1) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING $1,000 IMPOSED BY THE SECRETARY.

(2) FOR A SECOND OR SUBSEQUENT OFFENSE, A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING $10,000 OR BOTH.

(3) THE PENALTIES PROVIDED IN THIS SUBSECTION ARE NOT INTENDED TO APPLY TO INCONSEQUENTIAL OR INADVERTENT ERRORS.

5–146.

(A) A DEALER OR ANY OTHER PERSON WHO SELLS OR TRANSFERS A REGULATED FIREARM SHALL NOTIFY THE PURCHASER OR RECIPIENT OF THE REGULATED FIREARM AT THE TIME OF PURCHASE OR TRANSFER THAT THE PURCHASER OR RECIPIENT IS REQUIRED TO REPORT A LOST OR STOLEN

REGULATED FIREARM TO THE LOCAL LAW ENFORCEMENT AGENCY AS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.

(B) IF A REGULATED FIREARM IS LOST OR STOLEN, THE OWNER OF THE REGULATED FIREARM SHALL REPORT THE LOSS OR THEFT TO THE LOCAL LAW ENFORCEMENT AGENCY WITHIN 72 HOURS AFTER THE OWNER FIRST DISCOVERS THE LOSS OR THEFT.

(C) ON RECEIPT OF A REPORT OF A LOST OR STOLEN REGULATED FIREARM, A LOCAL LAW ENFORCEMENT AGENCY SHALL REPORT TO THE SECRETARY AND ENTER INTO THE NATIONAL CRIME INFORMATION CENTER (NCIC) DATABASE, TO THE EXTENT KNOWN, THE CALIBER, MAKE, MODEL, MANUFACTURER, AND SERIAL NUMBER OF THE REGULATED FIREARM AND ANY OTHER DISTINGUISHING NUMBER OR IDENTIFICATION MARK ON THE REGULATED FIREARM.

(D) (1) A KNOWING AND WILLFUL FIRST–TIME VIOLATION OF THIS SECTION IS A CIVIL OFFENSE PUNISHABLE BY A FINE NOT EXCEEDING $500.

(2) A PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES THIS SECTION FOR A SECOND OR SUBSEQUENT TIME IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING $500 OR BOTH.

(E) THE IMPOSITION OF A CIVIL OR CRIMINAL PENALTY UNDER THIS SECTION DOES NOT PRECLUDE THE PURSUIT OF ANY OTHER CIVIL REMEDY OR CRIMINAL PROSECUTION AUTHORIZED BY LAW.

5–205.

(A) THIS SUBTITLE DOES NOT APPLY TO A RIFLE OR SHOTGUN THAT IS AN ANTIQUE FIREARM AS DEFINED IN § 4–201 OF THE CRIMINAL LAW ARTICLE.

(B) A PERSON MAY NOT POSSESS A RIFLE OR SHOTGUN IF THE PERSON:

(1) HAS BEEN CONVICTED OF A DISQUALIFYING CRIME AS DEFINED IN § 5–101 OF THIS TITLE;

(2) HAS BEEN CONVICTED OF A VIOLATION CLASSIFIED AS A CRIME UNDER COMMON LAW AND RECEIVED A TERM OF IMPRISONMENT OF MORE THAN 2 YEARS;

(3) IS A FUGITIVE FROM JUSTICE;

(4) IS A HABITUAL DRUNKARD AS DEFINED IN § 5–101 OF THIS TITLE;

(5) IS ADDICTED TO A CONTROLLED DANGEROUS SUBSTANCE OR IS A HABITUAL USER AS DEFINED IN § 5–101 OF THIS TITLE;

(6) SUFFERS FROM A MENTAL DISORDER AS DEFINED IN § 10–101(F)(2) OF THE HEALTH – GENERAL ARTICLE AND HAS A HISTORY OF VIOLENT BEHAVIOR AGAINST THE PERSON OR ANOTHER~~, UNLESS THE PERSON HAS A PHYSICIAN'S CERTIFICATE THAT THE PERSON IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PERSON OR TO ANOTHER~~;

(7) HAS BEEN FOUND INCOMPETENT TO STAND TRIAL UNDER § 3–106 OF THE CRIMINAL PROCEDURE ARTICLE;

(8) HAS BEEN FOUND NOT CRIMINALLY RESPONSIBLE UNDER § 3–110 OF THE CRIMINAL PROCEDURE ARTICLE;

(9) ~~HAS BEEN BEFORE OCTOBER 1, 2013, WAS~~ *HAS BEEN* VOLUNTARILY ADMITTED FOR MORE THAN 30 CONSECUTIVE DAYS TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE;

~~(10) HAS BEEN ADMITTED TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE AS THE RESULT OF AN EMERGENCY EVALUATION UNDER § 10–622 OF THE HEALTH – GENERAL ARTICLE, UNLESS THE PERSON HAS A CERTIFICATE FROM THE FACILITY THAT THE PERSON IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PERSON OR TO ANOTHER;~~

~~(10)~~ ~~(11)~~ *(10)* HAS BEEN INVOLUNTARILY COMMITTED TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE;

~~(11)~~ ~~(12)~~ *(11)* IS UNDER THE PROTECTION OF A GUARDIAN APPOINTED BY A COURT UNDER § 13–201(C) OR § 13–705 OF THE ESTATES AND TRUSTS ARTICLE, *EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY*;

~~(6)~~ ~~(12)~~ ~~(13)~~ *(12)* EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IS A RESPONDENT AGAINST WHOM:

(I) A CURRENT NON EX PARTE CIVIL PROTECTIVE ORDER HAS BEEN ENTERED UNDER § 4–506 OF THE FAMILY LAW ARTICLE; OR

(II) AN ORDER FOR PROTECTION, AS DEFINED IN § 4–508.1 OF THE FAMILY LAW ARTICLE, HAS BEEN ISSUED BY A COURT OF ANOTHER STATE OR A NATIVE AMERICAN TRIBE AND IS IN EFFECT; OR

~~(7)~~ ~~(13)~~ ~~(14)~~ *(13)* IF UNDER THE AGE OF 30 YEARS AT THE TIME OF POSSESSION, HAS BEEN ADJUDICATED DELINQUENT BY A JUVENILE COURT FOR AN ACT THAT WOULD BE A DISQUALIFYING CRIME IF COMMITTED BY AN ADULT.

~~[~~(a)**~~]~~ ~~(C)~~** ~~Unless the person possesses a physician's certificate that the person is capable of possessing a rifle or shotgun without undue danger to the person or to another, a person may not possess a rifle or shotgun if the person:~~

~~(1) suffers from a mental disorder as defined in § 10–101(f)(2) of the Health – General Article and has a history of violent behavior against the person or another; or~~

~~(2) has been confined for more than 30 consecutive days in a facility as defined in § 10–101 of the Health – General Article.~~

~~(D)~~ (C) THIS SECTION DOES NOT APPLY TO A PERSON TRANSPORTING A RIFLE OR SHOTGUN IF THE PERSON IS CARRYING A CIVIL PROTECTIVE ORDER REQUIRING THE SURRENDER OF THE RIFLE OR SHOTGUN AND:

(1) THE RIFLE OR SHOTGUN IS UNLOADED;

(2) THE PERSON HAS NOTIFIED THE LAW ENFORCEMENT UNIT, BARRACKS, OR STATION THAT THE RIFLE OR SHOTGUN IS BEING TRANSPORTED IN ACCORDANCE WITH THE CIVIL PROTECTIVE ORDER; AND

(3) THE PERSON TRANSPORTS THE RIFLE OR SHOTGUN DIRECTLY TO THE LAW ENFORCEMENT UNIT, BARRACKS, OR STATION.

[(b)**]** **~~(E)~~ (D)** A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $1,000 or both.

(E) A PERSON WHO IS DISQUALIFIED FROM OWNING A RIFLE OR SHOTGUN UNDER SUBSECTION (B)(6), (7), (8), (9), (10), OR (11) OF THIS SECTION MAY SEEK RELIEF FROM THE DISQUALIFICATION IN ACCORDANCE WITH § 5–133.3 OF THIS TITLE.

5–206.

(a) A person may not possess a rifle or shotgun if the person was previously convicted of:

(1) a crime of violence **AS DEFINED IN § 5–101 OF THIS TITLE**;

(2) a violation of § 5–602, § 5–603, § 5–604, § 5–605, § 5–612, § 5–613, or § 5–614 of the Criminal Law Article; or

(3) an offense under the laws of another state or the United States that would constitute one of the crimes listed in item (1) or (2) of this subsection if committed in this State.

(b) A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 15 years.

(c) Each violation of this subsection is a separate crime.

5–301.

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

(b) "Board" means the Handgun Permit Review Board.

(c) "Handgun" has the meaning stated in § 4–201 of the Criminal Law Article.

(d) "Permit" means a permit issued by the Secretary to carry, wear, or transport a handgun.

(E) "QUALIFIED HANDGUN INSTRUCTOR" HAS THE MEANING STATED IN § 5–101 OF THIS TITLE.

[(e)**] (F)** "Secretary" means the Secretary of State Police or the Secretary's designee.

5–306.

(a) Subject to subsection **[**(b)**] (C)** of this section, the Secretary shall issue a permit within a reasonable time to a person who the Secretary finds:

(1) is an adult;

(2) (i) has not been convicted of a felony or of a misdemeanor for which a sentence of imprisonment for more than 1 year has been imposed; or

(ii) if convicted of a crime described in item (i) of this item, has been pardoned or has been granted relief under 18 U.S.C. § 925(c);

(3) has not been convicted of a crime involving the possession, use, or distribution of a controlled dangerous substance;

(4) is not presently an alcoholic, addict, or habitual user of a controlled dangerous substance unless the habitual use of the controlled dangerous substance is under legitimate medical direction; **[**and**]**

(5) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, HAS SUCCESSFULLY COMPLETED PRIOR TO APPLICATION AND EACH RENEWAL, A FIREARMS TRAINING COURSE APPROVED BY THE SECRETARY THAT INCLUDES:

(I) 1. FOR AN INITIAL APPLICATION, A MINIMUM OF 16 HOURS OF INSTRUCTION BY A QUALIFIED HANDGUN INSTRUCTOR; OR

2. FOR A RENEWAL APPLICATION, 8 HOURS OF INSTRUCTION BY A QUALIFIED HANDGUN INSTRUCTOR;

(II) CLASSROOM INSTRUCTION ON:

1. STATE FIREARM LAW;

2. HOME FIREARM SAFETY; AND

3. HANDGUN MECHANISMS AND OPERATION; AND

(III) A FIREARMS QUALIFICATION COMPONENT THAT DEMONSTRATES THE APPLICANT'S PROFICIENCY AND USE OF THE FIREARM; AND

[(5)**] (6)** based on an investigation:

(i) has not exhibited a propensity for violence or instability that may reasonably render the person's possession of a handgun a danger to the person or to another; and

(ii) has good and substantial reason to wear, carry, or transport a handgun, such as a finding that the permit is necessary as a reasonable precaution against apprehended danger.

(B) AN APPLICANT FOR A PERMIT IS NOT REQUIRED TO COMPLETE A CERTIFIED FIREARMS TRAINING COURSE UNDER SUBSECTION (A) OF THIS SECTION IF THE APPLICANT:

(1) IS A LAW ENFORCEMENT OFFICER OR A PERSON WHO IS RETIRED IN GOOD STANDING FROM SERVICE WITH A LAW ENFORCEMENT AGENCY OF THE UNITED STATES, THE STATE, OR ANY LOCAL LAW ENFORCEMENT AGENCY IN THE STATE;

(2) IS A MEMBER ~~OR~~, RETIRED MEMBER, OR HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR THE NATIONAL GUARD~~; OR~~;

(3) IS ~~CURRENTLY A CERTIFIED FIREARMS INSTRUCTOR WHO:~~

~~(I) IS RECOGNIZED BY THE MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSIONS;~~

~~(II) HAS A QUALIFIED HANDGUN INSTRUCTOR LICENSE ISSUED BY THE SECRETARY; OR~~

~~(III) HAS A CERTIFICATION ISSUED AND RECOGNIZED BY A NATIONAL ORGANIZATION~~ *A QUALIFIED HANDGUN INSTRUCTOR*; OR

~~(3)~~ (4) HAS COMPLETED A FIREARMS TRAINING COURSE APPROVED BY THE SECRETARY.

[(b)**] (C)** An applicant under the age of 30 years is qualified only if the Secretary finds that the applicant has not been:

(1) committed to a detention, training, or correctional institution for juveniles for longer than 1 year after an adjudication of delinquency by a juvenile court; or

(2) adjudicated delinquent by a juvenile court for:

(i) an act that would be a crime of violence if committed by an adult;

(ii) an act that would be a felony in this State if committed by an adult; or

(iii) an act that would be a misdemeanor in this State that carries a statutory penalty of more than 2 years if committed by an adult.

(D) THE SECRETARY MAY ISSUE A HANDGUN QUALIFICATION LICENSE, WITHOUT AN ADDITIONAL APPLICATION OR FEE, TO A PERSON WHO:

(1) MEETS THE REQUIREMENTS FOR ISSUANCE OF A PERMIT UNDER THIS SECTION; AND

(2) DOES NOT HAVE A HANDGUN QUALIFICATION LICENSE ISSUED UNDER § 5–117.1 OF THIS TITLE.

Article – State Government

10–616.

(a) Unless otherwise provided by law, a custodian shall deny inspection of a public record, as provided in this section.

(V) (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A CUSTODIAN SHALL DENY INSPECTION OF ALL RECORDS OF A PERSON AUTHORIZED TO:

(I) SELL, PURCHASE, RENT, OR TRANSFER A REGULATED FIREARM UNDER TITLE 5, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE; OR

(II) CARRY, WEAR, OR TRANSPORT A HANDGUN UNDER TITLE 5, SUBTITLE 3 OF THE PUBLIC SAFETY ARTICLE.

(2) A CUSTODIAN SHALL ALLOW INSPECTION OF FIREARM OR HANDGUN RECORDS BY:

(I) THE INDIVIDUAL NAMED IN THE RECORD; OR

(II) THE ATTORNEY OF RECORD OF THE INDIVIDUAL NAMED IN THE RECORD.

(3) THE PROVISIONS OF THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT THE DEPARTMENT OF STATE POLICE OR THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES FROM ACCESSING FIREARM OR HANDGUN RECORDS IN THE PERFORMANCE OF THAT DEPARTMENT'S OFFICIAL DUTY.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2013:

(a) The Department of State Police shall investigate illegal transfers, possession, and transport of firearms within the State, including the number and types of firearms seized by the Department of State Police and the best information available as to the source of the seized firearms.

(b) On or before December 31, 2015, the Department of State Police shall report its findings to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION ~~2.~~ *3.* AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013. *Section 2 of this Act shall remain effective for a period of 3 years and, at the end of September 30, 2016, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.*

Approved by the Governor, May 16, 2013.

Chapter 428

(Senate Bill 841)

AN ACT concerning

Higher Education Fair Share Act

FOR the purpose of altering the matters of negotiation that may be included in collective bargaining between an employee organization and certain system institutions, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College; requiring employees of certain institutions of higher education to furnish written proof of certain payments to the President of the institution or the President's designee; and generally relating to collective bargaining for employees of certain State institutions of higher education.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–502
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Personnel and Pensions

3–502.

(a) Collective bargaining shall include all matters relating to wages, hours, and other terms and conditions of employment.

(b) (1) **[**Except as provided in paragraph (3) of this subsection, collective**]** **COLLECTIVE** bargaining may include negotiations relating to the right of an employee organization to receive service fees from nonmembers.

(2) An employee whose religious beliefs are opposed to joining or financially supporting any collective bargaining organization is:

(i) not required to pay a service fee; and

(ii) required to pay an amount of money as determined in collective bargaining negotiations, not to exceed any service fee negotiated under paragraph (1) of this subsection, to any charitable organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code and to furnish ~~to~~ **WRITTEN PROOF OF THE PAYMENT TO:**

1. **A.** the Department ~~and~~**; OR**

B. **IN THE CASE OF AN EMPLOYEE OF AN INSTITUTION OF HIGHER EDUCATION SPECIFIED IN § 3–102(A)(1)(V) OF THIS TITLE, THE PRESIDENT OF THE INSTITUTION OR THE PRESIDENT'S DESIGNEE; AND**

2. the exclusive representative ~~written proof of such payment~~.

[(3) Collective bargaining between an employee organization and a system institution, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College may not include negotiations relating to the right of an employee organization to receive service fees from nonmembers.**]**

(c) Notwithstanding subsection (a) of this section, the representatives of the State, a system institution, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College:

(1) shall not be required to negotiate over any matter that is inconsistent with applicable law; and

(2) may negotiate and reach agreement with regard to any such matter only if it is understood that the agreement with respect to such matter cannot become effective unless the applicable law is amended by the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 429

(House Bill 1515)

AN ACT concerning

Transportation Infrastructure Investment Act of 2013

FOR the purpose of altering the distribution of motor fuel tax revenue; ~~reducing certain motor fuel tax rates on a certain date;~~ requiring that certain motor fuel tax rates be increased on a certain date each year based on the percentage growth in a certain index; requiring the Comptroller to determine and announce the percentage growth in a certain index and certain motor fuel tax rates on a certain date each year; requiring that certain motor fuel tax rates remain unchanged if there is a decline or no growth in a certain index; limiting the increase in certain motor fuel tax rates by a certain amount of the motor fuel tax rate effective in the previous year; requiring the Comptroller to determine and announce a certain average retail price of motor fuel and a certain sales and use tax equivalent rate ~~on a certain date each year;~~ on certain dates; requiring a certain sales and use tax equivalent rate to be added to certain motor fuel tax rates and collected in the same manner as the motor fuel tax; providing that certain State laws and regulations that apply to the motor fuel tax also apply to a certain sales and use tax equivalent rate; requiring the Comptroller to determine a certain average retail price of motor fuel and a certain sales and use tax equivalent rate in a certain manner; requiring certain persons possessing motor fuel for sale on certain dates to remit certain taxes due on the motor fuel within a certain period of time; increasing a certain limit on the aggregate outstanding and unpaid principal balance of consolidated transportation bonds; providing that revenue attributable to certain motor fuel taxes is pledged for paying the principal and interest on consolidated transportation bonds; altering certain provisions prohibiting the reversion or crediting of funds in the Transportation Trust Fund to the General Fund or a special fund except under certain circumstances; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes under certain circumstances; altering certain provisions requiring the repayment of funds transferred or diverted from the Transportation Trust Fund in a certain manner; requiring the Governor to include certain appropriations for a certain purpose in the operating or capital budgets for certain fiscal years; requiring the Maryland Transit Administration to increase fares for certain transit services in a certain manner; providing that the Administration is not required to conduct certain public hearings before implementing certain fare increases; altering the amount of a certain surcharge required to be paid in addition to the registration fee required for certain motor vehicles; altering the distribution of sales and use tax revenue to the Transportation Trust Fund under certain circumstances; altering the manner in which a certain sales and use tax equivalent rate imposed on motor fuel is determined under certain circumstances; requiring the

Governor to appoint a certain task force to study regional transit financing and local transportation revenues; requiring the task force to submit a report to the Governor and the General Assembly by a certain date; stating the intent of the General Assembly that certain alternative financing mechanisms be utilized to deliver transportation projects; requiring the Department of Transportation to submit a report concerning alternative financing strategies to the Governor and General Assembly on or before a certain date; requiring the Department to issue a certain Request for Information for a certain transit line on or before a certain date; requiring the Department to study the implementation of a certain program to provide transit services at a free or reduced fare for certain individuals; requiring the Department to submit a certain report concerning a certain voucher program to the Governor and the General Assembly on or before a certain date; providing that certain sales and use tax revenue distributed to the Transportation Trust Fund is not pledged for paying the principal and interest on certain bonds; stating the intent of the General Assembly that revenue attributable to an increase in a certain surcharge on motor vehicle registrations be spent in a certain manner; requiring the Department to submit a report concerning certain increases in the motor fuel tax rates to the Governor and certain committees of the General Assembly on or before a certain date; repealing certain obsolete provisions; defining certain terms; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act; and generally relating to transportation financing and transportation infrastructure investment.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1103, 2–1303, and 9–305
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Tax – General
Section 2–1302.2 and 9–306
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 3–202, 3–215, 3–216, 3–217, ~~and 7–208(b–1)~~ 7–208(b–1), and 7–506(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Transportation
Section 7–208(b–2) and 8–613.3
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–954
Annotated Code of Maryland
(2012 Replacement Volume)

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

Article – Tax – General

2–1103.

After making the distributions required under §§ 2–1101 and 2–1102 of this subtitle, the Comptroller shall distribute:

(1) the remaining motor fuel tax revenue from aviation fuel to the Transportation Trust Fund; **[**and**]**

(2) all remaining motor fuel tax revenue, equal to the average percentage by which the motor fuel tax rate exceeds 18.5 cents per gallon, **NOT INCLUDING REVENUE ATTRIBUTABLE TO AN INCREASE IN THE MOTOR FUEL TAX RATES UNDER ~~§ 9–305(C)~~ § 9–305(B) OF THIS ARTICLE OR REVENUE ATTRIBUTABLE TO THE SALES AND USE TAX EQUIVALENT RATE IMPOSED UNDER § 9–306 OF THIS ARTICLE,** to the Gasoline and Motor Vehicle Revenue Account in the Transportation Trust Fund**;**

(3) REVENUE ATTRIBUTABLE TO AN INCREASE IN THE MOTOR FUEL TAX RATES IMPOSED UNDER ~~§ 9–305(C)~~ § 9–305(B) OF THIS ARTICLE TO THE TRANSPORTATION TRUST FUND; AND

(4) REVENUE ATTRIBUTABLE TO THE SALES AND USE TAX EQUIVALENT RATE IMPOSED UNDER § 9–306 OF THIS ARTICLE TO THE TRANSPORTATION TRUST FUND.

9–305.

(A) [The**] EXCEPT AS PROVIDED IN ~~SUBSECTIONS (B) AND (C)~~ SUBSECTION (B) OF THIS SECTION, THE** motor fuel tax rate is:

(1) 7 cents for each gallon of aviation gasoline;

(2) 23.5 cents for each gallon of gasoline other than aviation gasoline;

(3) 24.25 cents for each gallon of special fuel other than clean–burning fuel or turbine fuel;

(4) 7 cents for each gallon of turbine fuel; and

(5) 23.5 cents for each gasoline–equivalent gallon of clean–burning fuel except electricity.

(B) ~~**SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE MOTOR FUEL TAX RATE EFFECTIVE JULY 1, 2013, IS:**~~

~~**(1) 7 CENTS FOR EACH GALLON OF AVIATION GASOLINE;**~~

~~**(2) 18.5 CENTS FOR EACH GALLON OF GASOLINE OTHER THAN AVIATION GASOLINE;**~~

~~**(3) 24.25 CENTS FOR EACH GALLON OF SPECIAL FUEL OTHER THAN CLEAN–BURNING FUEL OR TURBINE FUEL;**~~

~~**(4) 7 CENTS FOR EACH GALLON OF TURBINE FUEL; AND**~~

~~**(5) 18.5 CENTS FOR EACH GASOLINE–EQUIVALENT GALLON OF CLEAN–BURNING FUEL EXCEPT ELECTRICITY.**~~

~~**(C)**~~ **(1) THE MOTOR FUEL TAX RATES SPECIFIED IN SUBSECTION** ~~**(B)(2),**~~ **(A)(2), (3), AND (5) OF THIS SECTION SHALL BE INCREASED ON JULY 1, 2013, AND JULY 1 OF EACH SUBSEQUENT YEAR IN ACCORDANCE WITH THIS SUBSECTION.**

(2) ON OR BEFORE JUNE 1 OF EACH YEAR, THE COMPTROLLER SHALL DETERMINE AND ANNOUNCE:

(I) THE GROWTH IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS AS DETERMINED BY THE COMPTROLLER UNDER PARAGRAPH (3) OF THIS SUBSECTION; AND

(II) THE MOTOR FUEL TAX RATES EFFECTIVE FOR THE FISCAL YEAR BEGINNING ON THE FOLLOWING JULY 1 AS DETERMINED BY THE COMPTROLLER UNDER PARAGRAPH (4) ~~**OR (5)**~~ **OF THIS SUBSECTION.**

(3) (I) IN THIS PARAGRAPH, "CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS" MEANS THE INDEX PUBLISHED MONTHLY BY THE BUREAU OF LABOR STATISTICS OF THE U.S. DEPARTMENT OF LABOR THAT IS THE U.S. CITY AVERAGE OF ALL ITEMS IN A BASKET OF CONSUMER GOODS AND SERVICES.

(II) THE PERCENTAGE GROWTH IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS SHALL BE DETERMINED BY COMPARING THE AVERAGE OF THE INDEX FOR THE 12 MONTHS ENDING ON THE PRECEDING APRIL 30 TO THE AVERAGE OF THE INDEX FOR THE PRIOR 12 MONTHS.

(4) ~~SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION, ON JULY 1, 2013, THE MOTOR FUEL TAX RATES SPECIFIED IN SUBSECTION (B)(2), (3), AND (5) OF THIS SECTION SHALL BE INCREASED BY THE AMOUNT, ROUNDED TO THE NEAREST ONE-TENTH OF A CENT, THAT EQUALS THE PRODUCT OF MULTIPLYING:~~

~~(I) THE MOTOR FUEL TAX RATES SPECIFIED IN SUBSECTION (B)(2), (3), AND (5) OF THIS SECTION; AND~~

~~(II) THE PERCENTAGE GROWTH IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS.~~

~~(5)~~ SUBJECT TO PARAGRAPH ~~(6)~~ (5) OF THIS SUBSECTION, ~~ON JULY 1, 2014, AND~~ ON JULY 1 OF EACH ~~SUBSEQUENT~~ YEAR, EACH MOTOR FUEL TAX ~~RATE~~ RATE SPECIFIED IN SUBSECTION (A)(2), (3), AND (5) OF THIS SECTION SHALL BE INCREASED BY THE AMOUNT, ROUNDED TO THE NEAREST ONE–TENTH OF A CENT, THAT EQUALS THE PRODUCT OF MULTIPLYING:

(I) THE MOTOR FUEL TAX RATE IN EFFECT ON THE DATE OF THE COMPTROLLER'S ANNOUNCEMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

(II) THE PERCENTAGE GROWTH IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS.

~~(6)~~ (5) (I) IF THERE IS A DECLINE OR NO GROWTH IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, THE MOTOR FUEL TAX RATES SHALL REMAIN UNCHANGED.

(II) ANY INCREASE IN THE MOTOR FUEL TAX RATES UNDER PARAGRAPH (4) OF THIS SUBSECTION MAY NOT BE GREATER THAN 8% OF THE MOTOR FUEL TAX RATE EFFECTIVE IN THE PREVIOUS YEAR.

(6) THE COMPTROLLER SHALL REQUIRE ANY PERSON POSSESSING TAX–PAID MOTOR FUEL FOR SALE AT THE START OF BUSINESS ON THE DATE OF AN INCREASE IN THE MOTOR FUEL TAX UNDER THIS SUBSECTION TO COMPILE AND FILE AN INVENTORY OF THE MOTOR FUEL HELD AT THE CLOSE

OF BUSINESS ON THE IMMEDIATELY PRECEDING DATE AND REMIT WITHIN 30 DAYS ANY ADDITIONAL MOTOR FUEL TAX THAT IS DUE ON THE MOTOR FUEL.

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

Article – Tax – General

9–306.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "AVERAGE ANNUAL RETAIL PRICE" MEANS THE 12–MONTH AVERAGE RETAIL PRICE PER GALLON OF MOTOR FUEL PURCHASED IN THE STATE DETERMINED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

(3) "SALES AND USE TAX EQUIVALENT RATE" MEANS THE PER GALLON TAX RATE CALCULATED BASED ON A PERCENTAGE OF THE AVERAGE ANNUAL RETAIL PRICE OF MOTOR FUEL IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION.

(B) ON OR BEFORE ~~JUNE 1 OF EACH YEAR,~~ JUNE 1, 2013, DECEMBER 1, 2014, JUNE 1, 2015, AND JUNE 1 OF EACH SUBSEQUENT YEAR, THE COMPTROLLER SHALL DETERMINE AND ANNOUNCE:

(1) THE AVERAGE ANNUAL RETAIL PRICE OF MOTOR FUEL; AND

(2) THE SALES AND USE TAX EQUIVALENT RATE EFFECTIVE ON THE FIRST DAY OF THE FOLLOWING ~~JULY 1~~ MONTH.

(C) (1) THE SALES AND USE TAX EQUIVALENT RATE SHALL BE ADDED TO THE MOTOR FUEL TAX RATES SPECIFIED IN ~~§ 9–305(B)(2),~~ § 9–305(A)(2), (3), AND (5) OF THIS SUBTITLE AND COLLECTED IN THE SAME MANNER AS THE MOTOR FUEL TAX.

(2) EXCEPT AS OTHERWISE EXPRESSLY PROVIDED BY LAW, ALL REFERENCES TO THE MOTOR FUEL TAX IN STATE LAW AND REGULATIONS APPLY TO THE SALES AND USE TAX EQUIVALENT RATE IMPOSED UNDER THIS SECTION.

(D) THE COMPTROLLER SHALL DETERMINE THE AVERAGE ANNUAL RETAIL PRICE OF MOTOR FUEL:

(1) USING DATA COMPILED BY THE OIL PRICE INFORMATION SERVICE OR ANOTHER GENERALLY RECOGNIZED AND RELIABLE SOURCE OF INFORMATION; AND

(2) BASED ON PRICES FOR REGULAR UNLEADED MOTOR FUEL, EXCLUDING FEDERAL AND STATE TAXES, REPORTED DURING THE 12 MONTHS ENDING ON THE ~~PRECEDING APRIL 30~~ LAST DAY OF THE SECOND IMMEDIATELY PRECEDING MONTH.

(E) THE COMPTROLLER SHALL DETERMINE THE SALES AND USE TAX EQUIVALENT RATE BY:

(1) MULTIPLYING THE AVERAGE ANNUAL RETAIL PRICE BY THE PERCENTAGE RATE SPECIFIED IN SUBSECTION (F) OF THIS SECTION; AND

(2) ROUNDING THE PRODUCT TO THE NEAREST TENTH OF A CENT.

(F) THE PERCENTAGE RATE USED TO CALCULATE THE SALES AND USE TAX EQUIVALENT RATE SHALL BE:

~~(1) 2% FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2013; AND~~

~~(2) 4% FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2014, AND EACH SUBSEQUENT FISCAL YEAR.~~

(1) 1% FOR THE DETERMINATION MADE ON JUNE 1, 2013;

(2) 2% FOR THE DETERMINATION MADE ON DECEMBER 1, 2014; AND

(3) 3% FOR THE DETERMINATION MADE ON JUNE 1, 2015, AND JUNE 1 OF EACH SUBSEQUENT YEAR.

(G) THE COMPTROLLER SHALL REQUIRE ANY PERSON POSSESSING TAX–PAID MOTOR FUEL FOR SALE AT THE START OF BUSINESS ON THE DATE OF AN INCREASE IN THE SALES AND USE TAX EQUIVALENT RATE UNDER THIS SECTION TO COMPILE AND FILE AN INVENTORY OF THE MOTOR FUEL HELD AT THE CLOSE OF BUSINESS ON THE IMMEDIATELY PRECEDING DATE AND REMIT WITHIN 30 DAYS ANY ADDITIONAL TAX THAT IS DUE ON THE MOTOR FUEL UNDER THIS SECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

3–202.

(a) The Department from time to time may issue its bonds on behalf of this State to finance the cost of any one or more or combination of transportation facilities.

(b) The bonds shall be known as "consolidated transportation bonds" and may be issued in any amount as long as the aggregate outstanding and unpaid principal balance of these bonds and bonds of prior issues does not exceed at any one time the sum of **[**$2.6 billion**] $4.5 BILLION**.

(c) The preferred method of issuance of the Department's consolidated transportation bonds is by a public, competitive sale.

(d) The Department may issue its consolidated transportation bonds at a private, negotiated sale provided that:

(1) The Secretary determines that extraordinary credit market conditions exist that warrant the use of this method rather than a public, competitive sale; and

(2) The Secretary determines that the terms and conditions, including price, interest rates, and payment dates, that can be achieved by a private negotiated sale are more advantageous to the State.

(e) The maximum outstanding and unpaid principal balance of consolidated transportation bonds and bonds of prior issues as of June 30 for the next fiscal year:

(1) Shall be established each year by the General Assembly in the State budget; and

(2) May not exceed the limit established in subsection (b) of this section.

3–215.

(a) (1) For the purpose of paying the principal of and interest on consolidated transportation bonds as they become due and payable, there is hereby levied and imposed an annual tax that consists of the taxes specified in this section and, to the extent necessary and except as otherwise provided in this subsection, that shall be used and applied exclusively for that purpose.

(2) The required use and application of the tax under paragraph (1) of this subsection is subject only to the prior use and application of one or all or any combination of the taxes specified in this section to meet the debt service on all of the

following bonds while they are outstanding and unpaid and to the payment of which any part of those taxes has been pledged:

(i) Bonds of prior issues; **AND**

(ii) **[**Bonds of any series of county highway construction bonds or county transportation bonds issued under § 211 or § 211G–1 of Article 89B of the Code of 1957; and

(iii)**]** Bonds of any series of county transportation bonds issued under Subtitle 3 of this title.

(b) The tax levied and imposed by this section consists of that part of the following taxes that are retained to the credit of the Department after distributions to the political subdivisions:

(1) The motor fuel tax revenue distributed under §§ 2–1103(2)**, 2–1103(3),** and 2–1104(a)(2) of the Tax – General Article;

(2) THE MOTOR FUEL TAX REVENUE ATTRIBUTABLE TO THE SALES AND USE TAX EQUIVALENT RATE IMPOSED UNDER § 9–306 OF THE TAX – GENERAL ARTICLE AND DISTRIBUTED UNDER § 2–1103(4) OF THE TAX – GENERAL ARTICLE;

[(2)**] (3)** The income tax revenue distributed under § 2–614 of the Tax – General Article;

[(3)**] (4)** The excise tax imposed on vehicles by Part II of Title 13, Subtitle 8 of this article; and

[(4)**](5)** The sales and use tax revenues distributed under § 2–1302.1 of the Tax – General Article.

(c) As long as any consolidated transportation bonds are outstanding and unpaid, and except as provided in § 3–104 of this title, there shall be deposited and maintained in a sinking fund to be maintained by the State Treasurer to secure the payment of the principal of and interest on the bonds, annually or more often, as received, so much of the proceeds of the tax levied and imposed under this section, together with all other funds received by the Department and credited to the Transportation Trust Fund, as are necessary to maintain in the sinking fund a sum equal to the amount required to pay the principal of and interest on the outstanding and unpaid bonds that will become due and payable in the current calendar year and the next succeeding calendar year.

(d) The tax levied and imposed by this section is irrevocably pledged to the payment of the principal of and interest on consolidated transportation bonds as they

become due and payable, and no part of the tax or other funds applicable to debt service on the bonds may be repealed, diminished, or applied to any other purpose until:

(1) The bonds and the interest on them have become due and fully paid; or

(2) Adequate and complete provision for payment of the principal and interest has been made.

(e) (1) In this subsection "government obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America.

(2) Adequate and complete provision for payment of the principal and interest of any issue or series of consolidated transportation bonds may be made by the Secretary and the State Treasurer by making a transfer of government obligations from the Transportation Trust Fund to the State Treasurer or to a bank or trust company as escrow fund agent in an amount which, together with the income due thereon, will be sufficient to pay in full when due the maturing principal of and interest on the consolidated transportation bonds.

(3) To the extent that adequate and complete provision has been made for the payment of consolidated transportation bonds under this title those bonds shall no longer be deemed to be outstanding and unpaid under this title.

3–216.

(a) There is a Transportation Trust Fund for the Department.

(b) Except as otherwise expressly provided by statute, there shall be credited to the Transportation Trust Fund for the account of the Department all taxes, fees, charges, and revenues collected or received by or paid, appropriated, or credited to the account of the Department or any of its units in the exercise of their rights, powers, duties, or obligations, including the cash proceeds of the sale of consolidated transportation bonds, notes, or other evidences of obligation issued by the Department, any General Fund appropriations, and the proceeds of any State loan or federal grant made for transportation purposes.

(c) (1) There shall be maintained in the Transportation Trust Fund one or more sinking fund accounts to which shall be credited and from which shall be paid, from the proceeds of the taxes levied and imposed for that purpose or from any other funds of the Department, amounts sufficient at all times to meet the debt service on all bonds of prior issues and consolidated transportation bonds from time to time outstanding and unpaid.

(2) (i) The Gasoline and Motor Vehicle Revenue Account, the Driver Education Account, and the Motorcycle Safety Program Account shall be maintained in the Transportation Trust Fund.

(ii) In each fiscal year, the Department shall budget from federal funds available to the Department, other funds in the Transportation Trust Fund, and any other funds available to the Department, an amount sufficient to fund projects and programs determined by the Secretary to be necessary to achieve the bicycle and pedestrian transportation goals identified for the fiscal year under Title 2, Subtitle 6 of this article.

(d) (1) After meeting its debt service requirements, the Department may use the funds in the Transportation Trust Fund for any lawful purpose related to the exercise of its rights, powers, duties, and obligations.

(2) Expenditures under this subsection shall be made in accordance with any appropriation provided for in any applicable budget bill or supplementary appropriation bill. However, an appropriation proposed to be made to any unit in the Department or proposed to be made for any designated transportation activity, function, or undertaking that has been reduced by the General Assembly may not be restored, for the same purpose as originally proposed, except in an emergency, by the budget amendment procedure of § 7–209 of the State Finance and Procurement Article, or otherwise if the General Assembly in striking or reducing the appropriation, prohibited its restoration. However, except for emergency capital projects, if the General Assembly explicitly reduces in the budget bill an appropriation proposed for a major capital project as defined in § 2–103.1(a)(4) of this article, the appropriation may not be restored for the same purpose as originally proposed by the budget amendment procedure of § 7–209 of the State Finance and Procurement Article or otherwise unless the General Assembly, in striking or reducing the appropriation, expressly authorized its restoration.

[(3) (i) During the period of fiscal years 1988 through 1992 as included in the annual State Report on Transportation, the Department shall utilize all of its share of the revenues attributable to the 5 cent increase of the motor fuel tax under the provisions of Chapter 291 of the Acts of 1987 and credited to the Transportation Trust Fund under § 2–1104 of the Tax – General Article and the proceeds of any increased indebtedness based on that revenue and credited to the Transportation Trust Fund to fund Department projects for the construction, reconstruction, and rehabilitation of the State highway system.

(ii) During the period of fiscal year 1988 through fiscal year 1992 the total level of State funds appropriated to the State Highway Administration for construction, reconstruction and rehabilitation of the State highway system, including the revenues referred to in subparagraph (i) above, shall be at least 70 percent of the total appropriation of State funds in the consolidated transportation capital program.

(iii) The Secretary of the Department shall submit, subject to § 2–1246 of the State Government Article, to the Legislative Policy Committee and the Department of Legislative Services a report:

1. Prior to the beginning of each session through the 1991 session, detailing the intended use of the new revenues; and

2. Prior to the beginning of each session beginning with the 1989 session and through the 1993 session, detailing the actual use of the new revenues in the prior fiscal year.

(4) Of the new revenues derived under the provisions of Chapter 291 of the Acts of 1987 and credited to the Department, $31,000,000 shall be transferred to the Maryland Emergency Medical Service System Fund at such time as determined by the Secretary of Budget and Management.**]**

[(5)**] (3)** For each fiscal year, the Department shall use the funds in the Transportation Trust Fund for the purposes specified in subsection (c)(2)(ii) of this section, which may include construction and maintenance of:

(i) Public bicycle areas as defined in § 21–101(o) of this article;

(ii) Bicycle ways as defined in § 21–101(d) of this article; and

(iii) Sidewalks as defined in § 21–101(w) of this article.

[(6)**] (4)** Each year, before the General Assembly considers the proposed Maryland Transportation Plan and the Consolidated Transportation Program, the Department shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on:

(i) The expenditures made toward the attainment of the bicycle and pedestrian transportation goals during the preceding fiscal year under Title 2, Subtitle 6 of this article; and

(ii) The progress made toward attainment of the bicycle and pedestrian transportation goals identified for the fiscal year under Title 2, Subtitle 6 of this article.

(e) (1) Except as otherwise provided in this subsection, this section is effective notwithstanding any other provision of law.

(2) Nothing in this section may adversely affect in any way the security of any of the following bonds while they are outstanding and unpaid:

(i) State highway construction bonds, second issue;

(ii) State highway construction bonds, third issue;

(iii) County highway construction bonds; or

(iv) County highway construction bonds, second issue.

(3) It is the intent of the General Assembly that, as long as any of the bonds listed in paragraph (2) of this subsection are outstanding and unpaid:

(i) The sinking fund requirements established for the payment of the principal of and interest on those bonds shall remain unchanged, as if this section had not been enacted; and

(ii) The taxes and revenues pledged to the payment of the principal of and interest on those bonds as they become due and payable may not be repealed, diminished, or applied to any other purpose until:

1. The bonds and the interest on them have become due and fully paid; or

2. Adequate and complete provision for payment of the principal and interest has been made.

(f) (1) **[**No**] EXCEPT AS PROVIDED IN PARAGRAPHS (3) AND (6) OF THIS SUBSECTION, NO** part of the Transportation Trust Fund may **[**revert or**]** be **[**credited**] TRANSFERRED OR DIVERTED** to the **[**general funds**] GENERAL FUND** of **[**this State**] THE STATE UNLESS APPROVED BY THE GENERAL ASSEMBLY THROUGH LEGISLATION PASSED BY A THREE–FIFTHS MAJORITY VOTE OF THE FULL STANDING COMMITTEE ASSIGNED THE LEGISLATION IN EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY AND ENACTED INTO LAW**.

(2) [No**] EXCEPT AS PROVIDED IN PARAGRAPHS (3) AND (6) OF THIS SUBSECTION, NO** part of the Transportation Trust Fund may **[**revert or**]** be **[**credited**] TRANSFERRED OR DIVERTED** to a special fund of the State, unless **[**otherwise provided by law**] APPROVED BY THE GENERAL ASSEMBLY THROUGH LEGISLATION PASSED BY A THREE–FIFTHS MAJORITY VOTE OF THE FULL STANDING COMMITTEE ASSIGNED THE LEGISLATION IN EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY AND ENACTED INTO LAW**. No part of the Transportation Trust Fund may **[**revert or**]** be **[**credited**] TRANSFERRED OR DIVERTED** to a special fund of the State pursuant to the provisions of § 7–209(e)(2) of the State Finance and Procurement Article, unless **[**the transfer is approved by the Legislative Policy Committee. Failure of the Legislative Policy Committee to reject the transfer within 15 days after presentation before the Legislative Policy Committee shall be deemed to be approval**] THE REQUIREMENTS OF THIS PARAGRAPH HAVE BEEN SATISFIED**.

[(2) Notwithstanding any other provision of law, for fiscal year 1984 only, $29,000,000 of the funds in the Transportation Trust Fund which are not required by law to be distributed to the counties or Baltimore City and which have not been pledged or otherwise committed to the payment of or as security for the payment of any bonds or debt issued or incurred pursuant to this article shall be transferred and credited to the general funds of the State on or before June 30, 1984 and shall be available for appropriation from the general funds in fiscal year 1984.]

(3) FUNDS IN THE TRANSPORTATION TRUST FUND MAY BE USED FOR DEFENSE OR RELIEF PURPOSES ONLY IF:

(I) THE STATE IS INVADED BY LAND, SEA, OR AIR OR A MAJOR CATASTROPHE OCCURS; AND

(II) THE GOVERNOR:

1. PROCLAIMS A STATE OF EMERGENCY; AND

2. DECLARES THAT THE USE OF THE FUNDS FOR DEFENSE OR RELIEF PURPOSES IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH OR SAFETY.

(4) BEFORE THE ENACTMENT OF LEGISLATION UNDER PARAGRAPH (1) OR (2) OF THIS SUBSECTION OR THE ISSUANCE OF AN EMERGENCY DECLARATION UNDER PARAGRAPH (3) OF THIS SUBSECTION TO TRANSFER OR DIVERT FUNDS FROM THE TRANSPORTATION TRUST FUND TO THE GENERAL FUND OR A SPECIAL FUND, THE TREASURER SHALL ADVISE THE GOVERNOR AND THE GENERAL ASSEMBLY OF THE POTENTIAL IMPACT OF THE TRANSFER OR DIVERSION ON THE CREDIT RATING OF BONDS OR OTHER DEBT INSTRUMENTS ISSUED BY THE DEPARTMENT.

(5) (I) BEFORE THE ENACTMENT OF LEGISLATION UNDER PARAGRAPH (1) OR (2) OF THIS SUBSECTION OR THE ISSUANCE OF AN EMERGENCY DECLARATION UNDER PARAGRAPH (3) OF THIS SUBSECTION TO TRANSFER OR DIVERT FUNDS FROM THE TRANSPORTATION TRUST FUND TO THE GENERAL FUND OR A SPECIAL FUND, A DETERMINATION SHALL BE MADE OF THE POTENTIAL IMPACT OF THE TRANSFER OR DIVERSION ON THE ADDITIONAL BONDS TEST SET FORTH IN THE SECRETARY'S RESOLUTION AND THE CREDIT RATING OF BONDS OR OTHER DEBT INSTRUMENTS ISSUED BY THE DEPARTMENT.

(II) A TRANSFER OR DIVERSION MAY NOT OCCUR IF IT IS DETERMINED THAT THE TRANSFER OR DIVERSION WOULD:

1. CAUSE THE DEPARTMENT TO FAIL THE ADDITIONAL BONDS TEST; OR

2. RESULT IN A DOWNGRADE OF THE DEPARTMENT'S BONDS.

(6) THIS SUBSECTION DOES NOT APPLY TO A DISTRIBUTION OF HIGHWAY USER REVENUES TO COUNTIES, MUNICIPALITIES, AND BALTIMORE CITY UNDER § 8–403 OF THIS ARTICLE.

3–217.

(a) **[**Beginning July 1, 2012,**] ANY** funds in the Transportation Trust Fund **[**may not be**]** transferred or diverted from that Fund to the General Fund **[**unless legislation is enacted prior to the transfer or diversion that provides for repayment of the funds to the Transportation Trust Fund**] OR A SPECIAL FUND SHALL BE REPAID** within 5 years after the transfer or diversion **AS FOLLOWS:**

(1) AT LEAST 10 PERCENT OF A TRANSFER OR DIVERSION IN A FISCAL YEAR SHALL BE REPAID IN THE FIRST FISCAL YEAR AFTER THE TRANSFER OR DIVERSION;

(2) A CUMULATIVE TOTAL OF AT LEAST 30 PERCENT OF A TRANSFER OR DIVERSION IN A FISCAL YEAR SHALL BE REPAID WITHIN 2 FISCAL YEARS AFTER THE TRANSFER OR DIVERSION;

(3) A CUMULATIVE TOTAL OF AT LEAST 55 PERCENT OF A TRANSFER OR DIVERSION IN A FISCAL YEAR SHALL BE REPAID WITHIN 3 FISCAL YEARS AFTER THE TRANSFER OR DIVERSION;

(4) A CUMULATIVE TOTAL OF AT LEAST 80 PERCENT OF A TRANSFER OR DIVERSION IN A FISCAL YEAR SHALL BE REPAID WITHIN 4 FISCAL YEARS AFTER THE TRANSFER OR DIVERSION; AND

(5) A CUMULATIVE TOTAL OF 100 PERCENT OF A TRANSFER OR DIVERSION IN A FISCAL YEAR SHALL BE REPAID WITHIN 5 FISCAL YEARS AFTER THE TRANSFER OR DIVERSION.

(b) This section does not apply to a **[**transfer or diversion of funds**] DISTRIBUTION OF HIGHWAY USER REVENUES TO COUNTIES, MUNICIPALITIES, AND BALTIMORE CITY** under § 8–403 of this article.

~~7–208.~~

~~(b–1) Subject to § 7–506 of this title, the Administration:~~

~~(1) [Shall] SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, SHALL set the fare prices and collect other operating revenues in an amount sufficient to achieve the farebox recovery requirement established in subsection (b) of this section; [and]~~

~~(2) BEGINNING IN FISCAL YEAR 2015, SHALL INCREASE BASE FARE PRICES TO THE NEAREST 10 CENTS FOR CORE BUS, LIGHT RAIL, AND METRO SUBWAY SERVICES BY AT LEAST THE SAME PERCENTAGE AS THE TRIENNIAL INCREASE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE WASHINGTON–BALTIMORE METROPOLITAN AREA, AS DETERMINED FROM JANUARY 1, 2011, TO DECEMBER 31, 2013, AND EACH SUBSEQUENT 3–YEAR PERIOD FOR WHICH THE AMOUNT IS BEING CALCULATED; AND~~

~~(3) May not reduce the level of services provided by the Administration for the purpose of achieving the farebox recovery requirement.~~

7–208.

(b–1) Subject to § 7–506 of this title, the Administration:

(1) [Shall] **SUBJECT TO PARAGRAPHS (2), (3), (4), (5), AND (6) OF THIS SUBSECTION, SHALL** set the fare prices and collect other operating revenues in an amount sufficient to achieve the farebox recovery requirement established in subsection (b) of this section; [and]

(2) BEGINNING IN FISCAL YEAR 2015, SHALL:

(I) ON A BIENNIAL BASIS, INCREASE BASE FARE PRICES AND THE COST OF MULTIUSE PASSES TO THE NEAREST 10 CENTS FOR ALL TRANSIT SERVICES EXCEPT THOSE SERVICES LISTED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH BY THE SAME PERCENTAGE AS THE BIENNIAL INCREASE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, AS DETERMINED FROM JANUARY 1, 2012, TO DECEMBER 31, 2013, AND EACH SUBSEQUENT 2–YEAR PERIOD FOR WHICH THE AMOUNT IS BEING CALCULATED;

(II) EVERY 5 YEARS, INCREASE ONE–WAY ZONE FARE PRICES AND THE COST OF MULTIUSE PASSES TO THE NEAREST DOLLAR FOR COMMUTER RAIL AND COMMUTER BUS SERVICE BY:

1. AT LEAST THE SAME PERCENTAGE AS THE 5–YEAR INCREASE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, AS

DETERMINED FROM JANUARY 1, 2009, TO DECEMBER 31, 2013, AND EACH SUBSEQUENT 5–YEAR PERIOD FOR WHICH THE AMOUNT IS BEING CALCULATED; AND

2. ANY ADDITIONAL AMOUNT THE ADMINISTRATION DETERMINES IS NECESSARY AFTER CONSIDERING FACTORS AFFECTING COMMUTING COSTS APPLICABLE TO THE JURISDICTIONS IN WHICH THE ADMINISTRATION PROVIDES COMMUTER SERVICE, INCLUDING:

A. MONTHLY PARKING FEES;

B. THE RETAIL PRICE PER GALLON OF MOTOR FUEL;

C. THE AMOUNT OF ANY MONTHLY FEDERAL COMMUTING SUBSIDY;

D. FARE PRICES FOR INTERCITY RAIL SERVICE; AND

E. ANY OTHER RELEVANT COMMUTING COSTS; AND

[(2)**] (3)** May not reduce the level of services provided by the Administration for the purpose of achieving the farebox recovery requirement**;**

(4) MAY NOT INCREASE FARES FOR ALL TRANSIT SERVICES EXCEPT THOSE SERVICES LISTED IN PARAGRAPH (2)(II) OF THIS SUBSECTION BY MORE THAN THE AMOUNT REQUIRED UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION;

(5) MAY NOT INCREASE FARES UNDER PARAGRAPH (2)(I) AND (II)1 OF THIS SUBSECTION IF THERE IS A DECLINE OR NO GROWTH IN THE CONSUMER PRICE INDEX; AND

(6) SHALL INCLUDE THE AMOUNT OF ANY INCREASE IN FARES THAT WOULD HAVE OCCURRED PREVIOUSLY IN THE ABSENCE OF ROUNDING TO THE NEAREST 10 CENTS OR NEAREST DOLLAR WHEN CALCULATING FARE INCREASES FOR SUBSEQUENT PERIODS UNDER PARAGRAPH (2)(I) AND (II)1 OF THIS SUBSECTION.

(B–2) AN INCREASE IN THE ADMINISTRATION'S FARE PRICES BY THE MINIMUM AMOUNT REQUIRED UNDER SUBSECTION (B–1) OF THIS SECTION IS NOT SUBJECT TO THE REQUIREMENTS OF § 7–506 OF THIS ARTICLE.

7–506.

(a) (1) Except as provided in subsection (b) of this section **OR § 7–208(B–2) OF THIS TITLE**, until a public hearing is held on the matter, the Administration may not:

(i) Fix or revise any fare or rate charged the general public;

(ii) Establish or abandon any bus or rail route listed on a published timetable;

(iii) Change a bus or rail route alignment listed on a published timetable, unless the change is needed because of temporary construction or changes in the road network;

(iv) Reduce the frequency, number of days, or days of service for a commuter bus or commuter rail route without substituting a comparable level of service, unless the reduction is temporary or a result of:

1. A natural disaster;

2. Weather or other emergency conditions;

3. Schedule adjustments required by a third party that operates service on the same right–of–way; or

4. Other circumstances beyond the control of the Administration; or

(v) Establish or abandon a rail transit station.

(2) The Administration may only implement a change described in paragraph (1) of this subsection during the time period that begins 6 weeks after the public hearing and ends 6 months after the public hearing.

(3) (i) If the Administration gives inadequate or defective notice of a public hearing on a change described in paragraph (1) of this subsection, the Administration may not implement the change unless the Administration makes a reasonable effort to correct the inadequacy or defect and a legally sufficient public hearing is held.

(ii) For the purposes of this paragraph, notice shall be considered inadequate or defective if:

1. The Administration does not comply with the newspaper publication requirements under subsection (d) of this section;

2. The Administration does not comply with the notice requirements for affected jurisdictions prescribed under subsection (d) of this section;

3. At least 30% of the Administration's facilities are not posted as required under subsection (d) of this section; or

4. The notice contains erroneous information.

(4) A public hearing required under paragraph (1) of this subsection shall be at a place and time that is reasonably accessible and convenient to the patrons of the service to be affected.

(5) The Administration shall accept written comments for 30 days after a hearing held on a change described in paragraph (1) of this subsection.

8–613.3.

THE GOVERNOR SHALL INCLUDE IN THE ANNUAL OPERATING OR CAPITAL BUDGET AN APPROPRIATION TO THE ADMINISTRATION TO BE USED TO COMPLY WITH THE WATERSHED IMPLEMENTATION PLAN IN THE AMOUNT OF:

(1) $45,000,000 FOR FISCAL YEAR 2015;

(2) $65,000,000 FOR FISCAL YEAR 2016;

(3) $85,000,000 FOR FISCAL YEAR 2017;

(4) $100,000,000 FOR FISCAL YEAR 2018; AND

(5) $100,000,000 FOR FISCAL YEAR 2019.

13–954.

(a) In this section, "motor vehicle" means a:

(1) Class A (passenger) vehicle;

(2) Class B (for hire) vehicle;

(3) Class C (funeral and ambulance) vehicle;

(4) Class D (motorcycle) vehicle;

(5) Class E (truck) vehicle;

(6) Class F (tractor) vehicle;

(7) Class H (school) vehicle;

(8) Class J (vanpool) vehicle;

(9) Class M (multipurpose) vehicle;

(10) Class P (passenger bus) vehicle;

(11) Class Q (limousine) vehicle;

(12) Class R (low speed) vehicle; or

(13) Vehicle within any other class designated by the Administrator.

(b) (1) In addition to the registration fee otherwise required by this title, the owner of any motor vehicle registered under this title shall pay a surcharge of **[**$13.50**] $17.00** per year for each motor vehicle registered.

(2) $2.50 of the surcharge collected under paragraph (1) of this subsection shall be paid into the Maryland Trauma Physician Services Fund established under § 19–130 of the Health – General Article.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

2–1302.2.

AFTER MAKING THE DISTRIBUTIONS REQUIRED UNDER §§ 2–1301 THROUGH 2–1302.1 OF THIS SUBTITLE, THE COMPTROLLER SHALL PAY 4% OF THE REMAINING SALES AND USE TAX REVENUE INTO THE TRANSPORTATION TRUST FUND ESTABLISHED UNDER § 3–216 OF THE TRANSPORTATION ARTICLE.

2–1303.

After making the distributions required under §§ 2–1301 through **[**2–1302.1**] 2–1302.2** of this subtitle, the Comptroller shall pay:

(1) revenues from the hotel surcharge into the Dorchester County Economic Development Fund established under § 10–130 of the Economic Development Article; and

(2) the remaining sales and use tax revenue into the General Fund of the State.

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

9–306.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "AVERAGE ANNUAL RETAIL PRICE" MEANS THE 12–MONTH AVERAGE RETAIL PRICE PER GALLON OF MOTOR FUEL PURCHASED IN THE STATE DETERMINED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

(3) "SALES AND USE TAX EQUIVALENT RATE" MEANS THE PER GALLON TAX RATE CALCULATED BASED ON A PERCENTAGE OF THE AVERAGE ANNUAL RETAIL PRICE OF MOTOR FUEL IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION.

(B) ON OR BEFORE ~~JUNE 1 OF EACH YEAR~~ DECEMBER 1, 2015, JUNE 1, 2016, AND JUNE 1 OF EACH SUBSEQUENT YEAR, THE COMPTROLLER SHALL DETERMINE AND ANNOUNCE:

(1) THE AVERAGE ANNUAL RETAIL PRICE OF MOTOR FUEL; AND

(2) THE SALES AND USE TAX EQUIVALENT RATE EFFECTIVE ON THE FIRST DAY OF THE FOLLOWING ~~JULY 1~~ MONTH.

(C) (1) THE SALES AND USE TAX EQUIVALENT RATE SHALL BE ADDED TO THE MOTOR FUEL TAX RATES SPECIFIED IN ~~§ 9–305(B)(2)~~ § 9–305(A)(2), (3), AND (5) OF THIS SUBTITLE AND COLLECTED IN THE SAME MANNER AS THE MOTOR FUEL TAX.

(2) EXCEPT AS OTHERWISE EXPRESSLY PROVIDED BY LAW, ALL REFERENCES TO THE MOTOR FUEL TAX IN STATE LAW AND REGULATIONS APPLY TO THE SALES AND USE TAX EQUIVALENT RATE IMPOSED UNDER THIS SECTION.

(D) THE COMPTROLLER SHALL DETERMINE THE AVERAGE ANNUAL RETAIL PRICE OF MOTOR FUEL:

(1) USING DATA COMPILED BY THE OIL PRICE INFORMATION SERVICE OR ANOTHER GENERALLY RECOGNIZED AND RELIABLE SOURCE OF INFORMATION; AND

(2) BASED ON PRICES FOR REGULAR UNLEADED MOTOR FUEL, EXCLUDING FEDERAL AND STATE TAXES, REPORTED DURING THE 12 MONTHS ENDING ON THE ~~PRECEDING APRIL 30~~ LAST DAY OF THE SECOND IMMEDIATELY PRECEDING MONTH.

(E) THE COMPTROLLER SHALL DETERMINE THE SALES AND USE TAX EQUIVALENT RATE BY:

(1) MULTIPLYING THE AVERAGE ANNUAL RETAIL PRICE BY ~~6%~~ THE PERCENTAGE RATE SPECIFIED IN SUBSECTION (F) OF THIS SECTION; AND

(2) ROUNDING THE PRODUCT TO THE NEAREST TENTH OF A CENT.

(F) THE PERCENTAGE RATE USED TO CALCULATE THE SALES AND USE TAX EQUIVALENT RATE SHALL BE:

(1) 4% FOR THE DETERMINATION MADE ON DECEMBER 1, 2015; AND

(2) 5% FOR THE DETERMINATION MADE ON JUNE 1, 2016, AND JUNE 1 OF EACH SUBSEQUENT YEAR.

(G) THE COMPTROLLER SHALL REQUIRE ANY PERSON POSSESSING TAX–PAID MOTOR FUEL FOR SALE AT THE START OF BUSINESS ON THE DATE OF AN INCREASE IN THE SALES AND USE TAX EQUIVALENT RATE UNDER THIS SECTION TO COMPILE AND FILE AN INVENTORY OF THE MOTOR FUEL HELD AT THE CLOSE OF BUSINESS ON THE IMMEDIATELY PRECEDING DATE AND REMIT WITHIN 30 DAYS ANY ADDITIONAL TAX THAT IS DUE ON THE MOTOR FUEL UNDER THIS SECTION.

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The Governor, in consultation with the President of the Senate of Maryland and the Speaker of the House of Delegates, shall appoint a Local and Regional Transportation Funding Task Force that includes representatives of the State and local governments. The Task Force shall study and make recommendations on the feasibility of creating regional transit financing entities and local–option transportation revenues for the purpose of raising additional funds to support regional and local transportation system needs throughout the State.

(b) On or before December 15, 2013, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) It is the intent of the General Assembly that the State maximize the delivery of transportation projects through public–private partnerships, the use of an infrastructure bank, or other alternative financing mechanisms when appropriate.

(b) The Department of Transportation shall:

(1) Evaluate the opportunities for future alternative financing strategies for the Red Line, Purple Line, Corridor Cities Transitway, highway projects, commuter rail projects, and any other relevant transportation projects;

(2) Submit a report that includes specific findings and recommendations concerning alternative financing strategies to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on or before November 1, 2013; and

(3) Issue a Request for Information for the Red Line, Purple Line, or Corridor Cities Transitway on or before July 1, 2013, for the purpose of seeking private sector input and to more fully explore the potential for delivering one of the transit lines as a public–private partnership project.

(c) The Department of Transportation shall:

(1) Study the implementation of a voucher program to provide transit services at a free or reduced fare for individuals whose household income does not exceed 125% of the federal poverty guidelines; and

(2) On or before December 31, 2013, submit a report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly that includes specific findings and recommendations on implementing a voucher program described in paragraph (1) of this subsection.

SECTION 8. AND BE IT FURTHER ENACTED, That sales and use tax revenue distributed to the Transportation Trust Fund under Section 4 of this Act may not be pledged to the payment of the principal of and interest on consolidated transportation bonds as they become due and payable.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) It is the intent of the General Assembly that the $3.50 vehicle registration surcharge increase provided for in this Act be used to:

(1) Sustain the long–term viability of the Maryland Emergency Medical System Operations Fund; and

(2) Enhance funding provided to the user agencies of the Fund, as described in subsection (b) of this section.

(b) It is the intent of the General Assembly that the Governor:

(1) Include the following appropriations in the State budget to fund the upgrade of the Maryland Institute for Emergency Medical Services Systems communications system:

(i) $2,497,277 in fiscal year 2014;

(ii) $8,540,803 in fiscal year 2015;

(iii) $37,500 in fiscal year 2016; and

(iv) $12,500 in fiscal year 2017;

(2) Include an appropriation in the State budget to fund the operations and maintenance of the Maryland Institute for Emergency Medical Services Systems communications system;

(3) Increase the base salary for pilots and maintenance technicians employed by the Department of State Police, Aviation Division to $70,000 and $60,000, respectively;

(4) Hire 20 additional pilots for the purpose of improving the safety of flight operations at the Department of State Police, Aviation Division;

(5) Increase the annual appropriation to the R Adams Cowley Shock Trauma Center at the University of Maryland Medical System to $3,200,000;

(6) Purchase high temperature tiles for the Maryland Fire and Rescue Institute;

(7) Increase the salary of field instructors employed by the Maryland Fire and Rescue Institute by $2 per hour; and

(8) Increase the annual appropriation to the Senator William H. Amoss Fire, Rescue, and Ambulance Fund to the following amounts:

(i) $11,700,000 in fiscal year 2015;

(ii) $13,300,000 in fiscal year 2016; and

(iii) $15,000,000 in fiscal year 2017.

SECTION 10. AND BE IT FURTHER ENACTED, That on or before January 1, 2019, the Department of Transportation shall submit a report to the Governor and, in accordance with § 2–1246 of the State Government Article, Senate Budget and Taxation Committee, House Appropriations Committee, and House Committee on Ways and Means that:

(1) Assesses the impact of cumulative increases in the motor fuel tax rates under § 9–305(b) of the Tax – General Article as enacted by this Act on the State's transportation investment program, consumers, and the State's economy; and

(2) Makes a recommendation concerning the advisability of continuing to allow future increases in the motor fuel tax rates under § 9–305(b) of the Tax – General Article as enacted by this Act.

SECTION ~~7.~~ 11. AND BE IT FURTHER ENACTED, That:

(a) Section 4 of this Act shall take effect on the taking effect, on or after June 1, 2013, but before ~~June~~ December 1, 2015, of regulations adopted by the Comptroller that require out–of–state sellers to collect the State sales and use tax on sales by out–of–state sellers to buyers in the State as authorized under a federal law that takes effect before ~~June~~ December 1, 2015.

(b) If Section 4 of this Act does not take effect in accordance with subsection (a) of this section, Section 4 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect on ~~June~~ December 1, 2015.

SECTION ~~8.~~ 12. AND BE IT FURTHER ENACTED, That:

(a) Section 5 of this Act shall take effect ~~June~~ December 1, 2015, if Section 4 of this Act does not take effect before that date in accordance with Section ~~7~~ 11 of this Act.

(b) If Section 4 of this Act takes effect, Section 5 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect on the date that Section 4 of this Act becomes effective.

(c) If Section 5 of this Act takes effect on ~~June~~ December 1, 2015, in accordance with subsection (a) of this section, Section 2 of this Act shall be abrogated and of no further force and effect on ~~June~~ December 1, 2015.

SECTION ~~9.~~ 13. AND BE IT FURTHER ENACTED, That, except as provided in Sections ~~7 and 8~~ 11 and 12 of this Act, this Act shall take effect June 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 430

(House Bill 1372)

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

FOR the purpose of amending certain prior authorizations of State Debt to alter the requirement that certain grantees provide certain matching funds; extending the deadline for certain grantees to present certain evidence that a matching fund will be presented; providing that certain grants may not terminate before certain dates; changing the locations of certain capital projects; altering the purpose of certain grants; changing the names of certain grantees; making ~~a technical correction~~ technical corrections; stating the public purpose of a certain grant; and generally relating to amending prior authorizations of State Debt.

BY repealing and reenacting, with amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 707 of the Acts of the General Assembly of 2009
Section 12(3)(I)

BY repealing and reenacting, with amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004 and Chapter 396 of the Acts of the General Assembly of 2011
Section 13(3)(i) Item (A)

BY repealing and reenacting, with amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004, Chapter 508 of the Acts of the General Assembly of 2006, and Chapter 396 of the Acts of the General Assembly of 2011
Section 13(3)(i) Item (H)

BY repealing and reenacting, with amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 12(3)(AQ)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 65 of the Acts of the General Assembly of 2007, Chapter 219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the General Assembly of 2009, Chapter 372 of the Acts of the General

Assembly of 2010, and Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA01(AR) and Item ZA02(AV)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(C)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ~~ZA01(N) and (CE)~~ ZA01(N), (Q), (AI), and (CE) and Item ZA02(V)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 64 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA01(O)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 707 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA02(BI)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the General Assembly of 2009, and Chapter 372 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA01(CP) and Item ZA02(AZ)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 372 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA02(BZ–1)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA02(AL)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 372 of the Acts of the General Assembly of 2010, and Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(BQ)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA00(Y)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA02(N)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA03(U)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(S)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA02(V) and Item ZA03(F) and (AA)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA03(M)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 442 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA03(BE)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ~~ZA02(AX)~~ ZA02(AH), (AX), (BB), and (BG) and ZA03(AZ), (BD), and (BI)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ~~ZA02(AK)~~ ZA02(A), (G), (R), (AD), (AK), ~~and (AL)~~ *(AL), and (BJ)* and Item ~~ZA03(AF) and (AG)~~ ZA03(C), (G), (AF), (AG), ~~and (AV)~~ *(AV), and (AW)*

BY repealing
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA02(BK)

BY adding to
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item DU00.02(A) and Item ZA02(BK–1), (BK–2), (BK–3), (BK–4), and (BK–5)

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(B), (E), (F), *(L)*, (M), (N), (Q), (R), (W), and (X), Item ZA01(D), (F), and (G), Item ZA02(C), (D), (F), (I), (J), (K), (M), (O), (U), (V), (Y), (Z), *(AB)*, (AD), (AJ), (AK), (AU), (AW), (AY), (BB), (BD), (BH), (BI), (BO), and (BP), ~~ZA02(AB),~~ and Item ZA03(A), (D), (E), (F), (H), (J), (M), (Q), (T), (U), (W), (X), (Y), (AA), (AB), (AC), (AE), (AH), (AK), (AM), (AO), (AP), (AU), and (AX)

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

Chapter 204 of the Acts of 2003, as amended by Chapter 707 of the Acts of 2009

SECTION 12. AND BE IT FURTHER ENACTED, That:

(3)

(I) Bethel Senior Facilities. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Union Bethel A.M.E. Church for the planning, design, construction, and capital equipping of the Bethel Senior Facilities, **INCLUDING INSTALLATION OF A SEWER PIPELINE,** located in Brandywine. Notwithstanding the provisions of Section 12(5) of this Act, the matching fund may include real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee has until June 1, 2011, to present evidence that a matching fund will be provided**. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014** (Prince George's County) 250,000

Chapter 204 of the Acts of 2003, as amended by Chapter 432 of the Acts of 2004, Chapter 508 of the Acts of 2006, and Chapter 396 of the Acts of 2011

SECTION 13. AND BE IT FURTHER ENACTED, That:

(3) (i) $15,200,000 for the following projects initially approved by the Senate:

(H) Carroll Mansion Museum. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Carroll Museums, Inc. for the acquisition of heating, ventilating, and air conditioning equipment, and for the repair and renovation of the Carroll Mansion Museum, located in Baltimore City, subject to a requirement that the grantee grant and convey an historic easement to the Maryland Historical Trust. Notwithstanding Section 13(5) of this Act, the matching fund may consist of in kind contributions and the grantee must present evidence that a matching fund will be provided by June 1, 2008. Notwithstanding any other provision of law, the proceeds of the loan must be encumbered by the Board of Public Works or expended for the purposes provided in this Act no later than December 1, **[**2012**]** **2014** (Baltimore City) 75,000

Chapter 204 of the Acts of 2003, as amended by Chapter 432 of the Acts of 2004 and Chapter 396 of the Acts of 2011

SECTION 13. AND BE IT FURTHER ENACTED, That:

(3) (i) $15,200,000 for the following projects initially approved by the Senate:

(A) **[**Annapolis Recreational Center at 9 St. Mary's Street**]** **ANNAPOLIS CITY HALL**. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of **THE CITY OF** Annapolis for the planning, design, repair, renovation, reconstruction, and capital equipping of the **[**Annapolis Recreational Center at 9 St. Mary's Street**]** **ANNAPOLIS CITY HALL**, located in Annapolis. Notwithstanding section 13(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, **[**2013**]** **2014**. Notwithstanding any other provision of law, the proceeds of the loan must be encumbered by the Board of Public Works or expended for the purposes provided in this Act no later than June 1, **[**2013**]** **2014** (Anne Arundel County) 250,000

Chapter 204 of the Acts of 2003, as amended by Chapter 396 of the Acts of 2011

SECTION 12. AND BE IT FURTHER ENACTED, That:

(3)

(AQ) Salisbury City Park. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of Salisbury for the repair and reconstruction of the historic bandstand pavilion, pedestrian bridges, the Beaverdam Bridge, the Picnic Island Bridge, and the Memorial Drive bridges located in the City Park in Salisbury, subject to the requirement that the grantee grant and convey an historic easement to the Maryland Historical Trust. Notwithstanding the provisions of Section 12(5) of this Act, the matching fund may include in kind contributions. Notwithstanding any other provision of law, the proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this act no later than December 1, **[**2012**]** **2015** (Wicomico County) 150,000

Chapter 445 of the Acts of 2005, as amended by Chapter 65 of the Acts of 2007, Chapter 219 of the Acts of 2008, Chapter 707 of the Acts of 2009, Chapter 372 of the Acts of 2010, and Chapter 639 of the Acts of 2012

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

(3) ZA01 LOCAL HOUSE OF DELEGATES INITIATIVES

(AR) Old Blair High School Auditorium. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Old Blair Auditorium Project, Inc. for the repair, renovation, construction, reconstruction, and capital equipping of the Old Blair High School Auditorium located in Silver Spring. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, **[**2013**]** **2014**. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Montgomery County) 300,000

ZA02 LOCAL SENATE INITIATIVES

(AV) Old Blair High School Auditorium. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Old Blair Auditorium Project, Inc. for the repair, renovation,

construction, reconstruction, and capital equipping of the Old Blair High School Auditorium located in Silver Spring. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, **[**2013**] 2014**. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**] 2014** (Montgomery County) 300,000

Chapter 445 of the Acts of 2005, as amended by Chapter 639 of the Acts of 2012

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

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

*(C) Babe Ruth Birthplace and Museum. Provide a grant to the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. to assist in the design, construction, renovation, and equipping of improvements to the Babe Ruth Birthplace and Museum. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**] 2014** (Baltimore City) 250,000*

Chapter 46 of the Acts of 2006

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

(3) ZA01 LOCAL SENATE INITIATIVES

(N) Chesapeake Children's Museum. Provide a grant equal to the lesser of (i) $115,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Chesapeake Children's Museum, Inc. **AND THE MAYOR AND CITY COUNCIL OF THE CITY OF ANNAPOLIS** for the planning, design, construction, installation, and capital equipping of an owl habitat, roof–top observation deck, and elevator**, [**and**]** for the repair, renovation, reconstruction, and capital equipping of the multipurpose room at the Chesapeake Children's Museum**, AND FOR THE REPAIR OF THE ROOF OF THE CHESAPEAKE CHILDREN'S MUSEUM**, located in Annapolis. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT**

TERMINATE BEFORE JUNE 1, 2014 (Anne Arundel County) 115,000

(Q) Assisted Living on the Green. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of GS Housing, Inc. for the planning, design, construction, and capital equipping of an assisted living facility for low–income individuals, to be located on the campus of The Good Samaritan Hospital in Baltimore City**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Baltimore City) 200,000

(AI) Perry Hall Mansion. Provide a grant **[**equal to the lesser of (i) $225,000 or (ii) the amount of the matching fund provided,**] OF $225,000** to the County Executive and County Council of Baltimore County, ***AND THE BOARD OF DIRECTORS OF THE HISTORIC PERRY HALL MANSION, INC.*** for the renovation, interior restoration, and capital equipping of the Perry Hall Mansion, located in Perry Hall, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Baltimore County) 225,000

(CE) White Rose Foundation Service Center. Provide a grant of $375,000 to the Board of Directors of the White Rose Foundation, Inc. for the acquisition, repair, renovation, and capital equipping of a service center for the White Rose Foundation, located in Upper Marlboro**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014** (Prince George's County) 375,000

ZA02 LOCAL HOUSE OF DELEGATES INITIATIVES

(V) Assisted Living on the Green. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of GS Housing, Inc. for the planning, design, construction, and capital equipping of an assisted living facility for low–income individuals, located in Baltimore City**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Baltimore City) 300,000

Chapter 46 of the Acts of 2006, as amended by Chapter 64 of the Acts of 2007

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

(3) ZA01 LOCAL SENATE INITIATIVES

(O) Hancock's Resolution Visitor Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Anne Arundel County for the planning and design of a new visitor center at Hancock's Resolution, including related site work, located in Pasadena, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Anne Arundel County) 100,000

Chapter 46 of the Acts of 2006, as amended by Chapter 707 of the Acts of 2009

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

(3) ZA02 LOCAL HOUSE OF DELEGATES INITIATIVES

(BI) College Park City Hall. Provide a grant equal to the lesser of (i) $400,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of College Park for the design, engineering, **[**and**]** construction**, AND RENOVATION** of **[**a new**] THE** City Hall for the City of College Park, located in College Park**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Prince George's County)..... 400,000

Chapter 46 of the Acts of 2006, as amended by Chapter 372 of the Acts of 2010

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

(3) ZA02 LOCAL HOUSE OF DELEGATES INITIATIVES

(BZ–1) Pathway's Facility Renovation. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund

provided, to the Board of Directors of Pathway's, Inc. for the construction, repair, renovation, and capital equipping of the Pathway's Facility, located in Hollywood. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property and the grantee has until June 1, 2012, to present evidence that a matching fund will be provided. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014** (St. Mary's County) 125,000

Chapter 46 of the Acts of 2006, as amended by Chapter 219 of the Acts of 2008, Chapter 707 of the Acts of 2009, and Chapter 372 of the Acts of 2010

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

(3) ZA01 LOCAL SENATE INITIATIVES

(CP) Our House Youth Home. Provide a grant equal to the lesser of (i) $175,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Our House Youth Home, Inc. for the construction and capital equipping of a new dormitory at Our House Youth Home, located in Olney, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, 2012, to present evidence that a matching fund will be provided. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Montgomery County) 175,000

ZA02 LOCAL HOUSE INITIATIVES

(AZ) Our House Youth Home. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Our House Youth Home, Inc. for the construction and capital equipping of a new dormitory at Our House Youth Home, located in Olney, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, 2012, to present evidence that a matching fund will be provided. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Montgomery County) 250,000

Chapter 488 of the Acts of 2007

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

(3) ZA02 LOCAL SENATE INITIATIVES

(AL) Mattawoman Creek Art Center. Provide a grant equal to the lesser of (i) $15,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mattawoman Creek Art Center, Inc. for the planning, design, and construction of road paving improvements, for the renovation, repair, reconstruction, and capital equipping of improvements to the bathroom, **[**and**]** for the capital equipping and installation of security lights, safety rails, and signage at the Mattawoman Creek Art Center**, AND FOR THE CONSTRUCTION, REPAIR, RENOVATION, AND CAPITAL EQUIPPING OF THE MATTAWOMAN CREEK ART CENTER**, located in Marbury. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Charles County) 15,000

Chapter 336 of the Acts of 2008, as amended by Chapter 372 of the Acts of 2010, and Chapter 639 of the Acts of 2012

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

(3) ZA02 LOCAL HOUSE INITIATIVES

*(BQ) Rosaryville Conservancy Tack House and Stables. Provide a grant **[**equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided,**]** **OF $100,000** to the Board of Directors of the Rosaryville Conservancy, Inc. for the repair, renovation, and restoration of the tack house and stables located in the conservancy area on the grounds of the Mount Airy Mansion, located in Upper Marlboro**[**. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions and funds expended prior to the effective date of this Act and the grantee has until June 1, 2013, to present evidence that a matching fund will be provided**]** (Prince George's County) 100,000*

Chapter ~~483~~ *485* of the Acts of 2009

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

(3) ZA02 HOUSE OF DELEGATES LEGISLATIVE INITIATIVES

(N) **[**Homeport Farm Park Building Rehabilitation Project.**]** **WILEY H. BATES HERITAGE PARK.** Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Anne Arundel County **[**for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of buildings at the Homeport Farm Park, located in Edgewater**]** **TO ASSIST IN THE DESIGN, CONSTRUCTION, AND CAPITAL EQUIPPING OF A TURF FIELD AT THE WILEY H. BATES HERITAGE PARK. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Anne Arundel County)..... 100,000

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010

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

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(Y) East Campus Redevelopment. Provide a grant equal to the lesser of (i) $5,000,000 or (ii) the amount of the matching fund provided, to the University of Maryland Enterprise Corporation for the design and construction of facilities to relocate University of Maryland, College Park operations currently housed at the East Campus development site. These operations will be relocated to other areas of the campus. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of real property, or funds expended prior to the effective date of this Act. Provided that no funds may be expended on this project until:

(1) the University of Maryland, College Park and the City of College Park enter a memorandum of understanding regarding the scope of the East Campus project and other issues related to the project; or

(2) the City of College Park provides a letter to the General Assembly and the Board of Public Works that certifies that the City is satisfied with the intended use of the funds (Prince

George's County).

Further provided that this authorization made for the purpose of funding East Campus infrastructure improvements may not be expended until a program required by § 3–602(d) of the State Finance and Procurement Article and preliminary plans and outline specification required by § **[**6–602(f)(2)(i)**]** **3–602(F)(2)(I)** of the State Finance and Procurement Article have been submitted to the Department of Budget and Management for approval 5,000,000

Chapter 485 of the Acts of 2009, as amended by Chapter 396 of the Acts of 2011

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

(3) ZA03 LOCAL SENATE INITIATIVES

(U) Roland Park Fire Station Rehabilitation. Provide a grant of $110,000, to the Mayor and City Council of the City of Baltimore for the repair and renovation of the Roland Park Fire Station**, INCLUDING THE REPAIR AND RENOVATION OF HEAT PUMPS**, located in Baltimore City, subject to a requirement that the grantee provide and expend a matching fund of $20,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act, and the grantee has until December 1, **[**2012**]** **2013**, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, the proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than December 1, **[**2012**]** **2013** (Baltimore City) 110,000

Chapter 485 of the Acts of 2009, as amended by Chapter 639 of the Acts of 2012

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

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(S) ***[****Robert E. Lee Park****]*** ***PERRY HALL GYMNASIUM PROJECT****. Provide a grant to the County Executive and County Council of Baltimore County* ***ON BEHALF OF THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS*** *for the*

PLANNING, *design, construction, and capital equipping of improvements to* ***[****Robert E. Lee Park****]*** ***THE PERRY HALL GYMNASIUM*** *in Baltimore County, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore County)..... 3,000,000*

Chapter 483 of the Acts of 2010

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

(3) ZA02 LOCAL SENATE INITIATIVES

(V) Owings Mills High School Stadium. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Owings Mills High School Sports Boosters, Inc. **AND THE BOARD OF EDUCATION OF BALTIMORE COUNTY** for the planning, design, and construction of the Owings Mills High School Stadium, located in Owings Mills. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions **AND THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014** (Baltimore County) 50,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(F) Annapolis High School Booster Club Concession Stand. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Annapolis High School Sports Booster Club, Inc. for the design and construction of the Annapolis High School Booster Club Concession Stand, located in Annapolis. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014** (Anne Arundel County) 75,000

(AA) Owings Mills High School Stadium. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Owings Mills High School Sports Boosters, Inc. **AND THE BOARD OF EDUCATION OF BALTIMORE COUNTY** for the planning, design, and construction of the Owings Mills High School Stadium, located in Owings Mills. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions **AND THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014** (Baltimore County) 50,000

Chapter 483 of the Acts of 2010, as amended by Chapter 396 of the Acts of 2011

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

(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(M) Glen Avenue Firehouse. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Baltimore for the repair, renovation, and capital equipping of the Glen Avenue Firehouse, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014** (Baltimore City) 75,000

Chapter 483 of the Acts of 2010, as amended by Chapter 639 of the Acts of 2012

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

(3) ZA02 LOCAL SENATE INITIATIVES

(AH) Symphony Woods Park. Provide a grant equal to the lesser of (i) $190,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Columbia Association, Inc. for

the design and construction of the Symphony Woods Park, located in Columbia. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, **[**2013,**]** **2014,** to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Howard County) 190,000

(AX) Sandy Spring Museum. Provide a grant equal to the lesser of (i) $65,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Sandy Spring Museum, Inc. for the planning, repair, and capital equipping of the Sandy Spring Museum, located in Sandy Spring. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee has until June 1, **[**2013,**]** **2014,** to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Montgomery County) 65,000

(BB) Community Forklift Facility. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the **[**Board of Directors of the Sustainable Community Initiatives, Inc.**]** **COMMUNITY FORKLIFT, LLC** for the acquisition, construction, and repair of the Community Forklift Facility, located in Edmonston. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, **[**2013,**]** **2014,** to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Prince George's County) 100,000

(BG) La Vida Sana (Healthy Living Farm). Provide a grant **[**equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided,**]** **OF $50,000** to the Board of Directors of the Engaged Community Offshoots, Inc. for the acquisition, design, and construction of the Healthy Living Farm, located in Edmonston. **[**Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee has until June 1, 2013, to present evidence that a matching fund will be provided.**]** Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Prince George's County) 50,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(AZ) Community Forklift Facility. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the **[**Board of Directors of the Sustainable Community Initiatives, Inc.**]** **COMMUNITY FORKLIFT, LLC** for the acquisition, construction, and repair of the Community Forklift Facility, located in Edmonston. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, **[**2013,**]** **2014,** to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Prince George's County) 100,000

(BD) La Vida Sana (Healthy Living Farm). Provide a grant **[**equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided,**]** **OF $25,000** to the Board of Directors of the Engaged Community Offshoots, Inc. for the acquisition, design, and construction of the Healthy Living Farm, located in Edmonston. **[**Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee has until June 1, 2013, to present evidence that a matching fund will be provided.**]** Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Prince George's County) 25,000

~~(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES~~

(BI) Walker Mill Daycare and Training Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Walker Mill Development, Inc. for the **ACQUISITION,** construction**,** and capital equipping of the Walker Mill Daycare and Training Center, located in Capitol Heights. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions and the grantee has until June 1, **[**2013,**]** **2014,** to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Prince George's County) 100,000

Chapter 483 of the Acts of 2010, as amended by Chapter 442 of the Acts of 2012

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

(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(BE) Prince George's [County Fire Department] **VOLUNTEER FIRE DEPARTMENT (VFD) FACILITIES**. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the **COUNTY EXECUTIVE AND COUNTY COUNCIL OF** Prince George's County [Fire Department, the] **FOR THE BENEFIT OF THE BOARDS OF DIRECTORS OF THE FOLLOWING:**

(1) **THE** Marlboro Volunteer Fire Department, [the] **INC.;**

(2) **THE** Beltsville Volunteer Fire Department, [the] **INCORPORATED;**

(3) **THE** Hyattsville Volunteer Fire Department, [the] **INCORPORATED;**

(4) **THE** Kentland Volunteer Fire Department **OF KENTLAND, MARYLAND, INCORPORATED;** and [the Laurel]

(5) **THE BLADENSBURG** Volunteer Fire Department **& RESCUE SQUAD, INCORPORATED,**

AS THEIR INTERESTS MAY APPEAR, for the repair and renovation of [the Prince George's County Fire Department,] **VFD FACILITIES** located in Prince George's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of [real property, in kind contributions, or] funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2015, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015**
(Prince George's County)..... 250,000

Chapter 396 of the Acts of 2011

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

(3)

DU00.02 CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY (ALLEGANY COUNTY)

(A) CUMBERLAND CITY MARKET. PROVIDE FUNDS FOR THE DESIGN, RENOVATION, AND CAPITAL EQUIPPING OF THE CUMBERLAND CITY MARKET 100,000

ZA02 LOCAL SENATE INITIATIVES

(A) Linwood Center. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Linwood Center, Inc. for the planning**, [**and**]** design**, CONSTRUCTION, AND CAPITAL EQUIPPING** of a new school building at the Linwood Center, located in Ellicott City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Statewide) 250,000

(G) Cumberland City Market. Provide a grant equal to the lesser of (i) **[**$50,000**] $0** or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Cumberland for the design, renovation, and capital equipping of the Cumberland City Market, located in Cumberland (Allegany County) ..... **[**50,000**] 0**

(R) Mary Harvin Transformation Center. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mary Harvin Transformation Center Development Corporation, Inc. for the acquisition, planning, design, and construction of the Mary Harvin Transformation Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. ~~NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014~~**

(Baltimore City) 125,000

(AD) Todd's Inheritance. Provide a grant **[**equal to the lesser of (i) $175,000 or (ii) the amount of the matching fund provided,**]** **OF $175,000** to the County Executive and County Council of Baltimore County for the renovation, reconstruction, and capital equipping of Todd's Inheritance, located in Edgemere. **[**Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property**]** **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Baltimore County)..... 175,000

(AK) Cultural Arts Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the ~~Board of Directors of the Frederick Arts Council, Inc.~~ **BOARD OF TRUSTEES OF THE AUSHERMAN FAMILY FOUNDATION** for the acquisition and renovation of the Cultural Arts Center, located in Frederick. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Frederick County) 100,000

(AL) **[**Frederick Alliance For Youth – Youth and Community Center.**]** **MENTAL HEALTH ASSOCIATION BUILDING.** Provide a grant equal to the lesser of (i) $175,000 or (ii) the amount of the matching fund provided, to the **[**Board of Directors of the Frederick Alliance for Youth, Inc.**]** **BOARD OF DIRECTORS OF THE MENTAL HEALTH ASSOCIATION OF FREDERICK COUNTY, INC.** for the **[**acquisition, planning, design, and construction**]** **RENOVATION, CONSTRUCTION, AND CAPITAL EQUIPPING** of the **[**Frederick Alliance For Youth – Youth and Community Center**]** **MENTAL HEALTH ASSOCIATION BUILDING**, located in Frederick**.** **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2015, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Frederick County) 175,000

(BJ) *Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of*

Directors of the Prince George's County Boys and Girls Club, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard, signs, and stands ***FOR THE CAPITOL HEIGHTS AND SEAT PLEASANT BOYS AND GIRLS CLUB FIELD****, located in Prince George's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act.* ***NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED*** *(Prince George's County) 25,000*

[(BK) Community Safety and Surveillance Systems. Provide a grant of $120,000 to the Board of Directors of 301 Community Corporation, Inc. for the acquisition, construction, and capital equipping of community safety surveillance systems, located in Prince George's County (Prince George's County) ..... 120,000]

(BK–1) COLLINGTON STATION SAFETY AND SURVEILLANCE SYSTEMS. PROVIDE A GRANT OF $24,000 TO THE BOARD OF DIRECTORS OF COLLINGTON STATION HOMEOWNERS ASSOCIATION FOR THE ACQUISITION, CONSTRUCTION, AND CAPITAL EQUIPPING OF COMMUNITY SAFETY AND SURVEILLANCE SYSTEMS, LOCATED IN PRINCE GEORGE'S COUNTY (PRINCE GEORGE'S COUNTY) 24,000

(BK–2) MARLTON SAFETY AND SURVEILLANCE SYSTEMS. PROVIDE A GRANT OF $24,000 TO THE BOARD OF DIRECTORS OF MARLTON 100 HOMEOWNERS ASSOCIATION, INC. FOR THE ACQUISITION, CONSTRUCTION, AND CAPITAL EQUIPPING OF COMMUNITY SAFETY AND SURVEILLANCE SYSTEMS, LOCATED IN PRINCE GEORGE'S COUNTY (PRINCE GEORGE'S COUNTY) 24,000

(BK–3) WOODMORE SOUTH SAFETY AND SURVEILLANCE SYSTEMS. PROVIDE A GRANT OF $24,000 TO THE BOARD OF DIRECTORS OF WOODMORE SOUTH COMMUNITY ASSOCIATION, INC. FOR THE ACQUISITION, CONSTRUCTION, AND CAPITAL EQUIPPING OF COMMUNITY SAFETY AND SURVEILLANCE SYSTEMS, LOCATED IN PRINCE GEORGE'S COUNTY (PRINCE GEORGE'S COUNTY) 24,000

(BK–4) FAIRWOOD SAFETY AND SURVEILLANCE SYSTEMS. PROVIDE A GRANT OF $24,000 TO THE BOARD OF DIRECTORS OF FAIRWOOD COMMUNITY ASSOCIATION FOR THE ACQUISITION, CONSTRUCTION, AND CAPITAL EQUIPPING OF COMMUNITY SAFETY AND SURVEILLANCE SYSTEMS, LOCATED IN PRINCE GEORGE'S COUNTY (PRINCE GEORGE'S COUNTY) 24,000

(BK–5) CAMERON GROVE SAFETY AND SURVEILLANCE SYSTEMS. PROVIDE A GRANT OF $24,000 TO THE BOARD OF DIRECTORS OF CAMERON GROVE COMMUNITY ASSOCIATION FOR THE ACQUISITION, CONSTRUCTION, AND CAPITAL EQUIPPING OF COMMUNITY SAFETY AND SURVEILLANCE SYSTEMS, LOCATED IN PRINCE GEORGE'S COUNTY (PRINCE GEORGE'S COUNTY) 24,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(C) Linwood Center. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Linwood Center, Inc. for the planning**, [**and**]** design**, CONSTRUCTION, AND CAPITAL EQUIPPING** of a new school building at the Linwood Center, located in Ellicott City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Statewide) 250,000

(G) Cumberland City Market. Provide a grant equal to the lesser of (i) **[**$50,000**] $0** or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Cumberland for the design, renovation, and capital equipping of the Cumberland City Market, located in Cumberland (Allegany County) ..... **[**50,000**]**
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(AF) Cultural Arts Center. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the ~~Board of Directors of the Frederick Arts Council, Inc.~~ **BOARD OF TRUSTEES OF THE AUSHERMAN FAMILY FOUNDATION** for the acquisition and renovation of the Cultural Arts Center, located in Frederick. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the

effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Frederick County) 25,000

(AG) **[**Frederick Alliance For Youth – Youth and Community Center.**] MENTAL HEALTH ASSOCIATION BUILDING.** Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the **[**Board of Directors of the Frederick Alliance for Youth, Inc.**] BOARD OF DIRECTORS OF THE MENTAL HEALTH ASSOCIATION OF FREDERICK COUNTY, INC.** for the **[**acquisition, planning, design, and construction**] RENOVATION, CONSTRUCTION, AND CAPITAL EQUIPPING** of the **[**Frederick Alliance For Youth – Youth and Community Center**] MENTAL HEALTH ASSOCIATION BUILDING**, located in Frederick**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2015, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Frederick County) 200,000

(AV) **[**Arthur & Mary E. Ridgley, Sr. Museum Phase I.**] PRINCE GEORGE'S ARTS AND HUMANITIES COUNCIL CREATIVE BUSINESS INCUBATOR.** Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the **[**Board of Directors of the Mildred Ridgley Gray Charitable Trust, Inc. for the planning, design, repair, and renovation of the Arthur & Mary E. Ridgley, Sr. Museum, located in Landover.**] BOARD OF DIRECTORS OF THE PRINCE GEORGE'S ARTS AND HUMANITIES COUNCIL, INC. FOR THE PLANNING, REPAIR, RENOVATION, RECONSTRUCTION, AND CAPITAL EQUIPPING OF THE PRINCE GEORGE'S ARTS AND HUMANITIES COUNCIL CREATIVE BUSINESS INCUBATOR.** Notwithstanding Section 1(5) of this Act, the matching fund may consist of **[**real property**] IN KIND CONTRIBUTIONS. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2015, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Prince George's County) 150,000

(AW) Capitol Heights Seat Pleasant Boys and Girls Club Initiative.

Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George's County Boys and Girls Club, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard, signs, and stands for the Capitol Heights and Seat Pleasant Boys and Girls Club field, located in Prince George's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. ***NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED*** *(Prince George's County) 75,000*

Chapter 444 of the Acts of 2012

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

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(B) Annapolis High School. Provide a grant to the **[**Anne Arundel County**]** Board of Education **OF ANNE ARUNDEL COUNTY** for the construction of stadium improvements at Annapolis High School (Anne Arundel County) 2,000,000

(E) Charles E. Smith Life Communities. Provide a grant to the **[**Board of Governors of the Charles E. Smith Life Communities, Inc.**] BOARD OF DIRECTORS OF THE HEBREW HOME OF GREATER WASHINGTON, INC.** for the construction, renovation, and capital equipping of improvements to facilities at the Revitz House on the campus of Charles E. Smith Life Communities in Rockville, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Montgomery County) 675,000

(F) Everyman Theatre. Provide a grant to the Board of Directors of **[**the**] THE** Everyman Theatre, **[**Inc.**] INCORPORATED** to renovate the historic Town Theatre in downtown Baltimore, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may

consist of funds expended prior to the effective date of this Act (Baltimore City) 1,000,000

(L) *Maryland Science Center – Planetarium Improvements. Provide a grant to the Board of Trustees of the Maryland Science Center, Inc. for the renovation and capital equipping of the planetarium, subject to the requirement that the grantee provide an equal and matching fund for this purpose.* ***NOTWITHSTANDING THE PROVISIONS OF SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT*** *(Baltimore City) 550,000*

(M) Maryland School for the Blind. Provide a grant to the Board of Directors of **[**the**]** **THE** Maryland School for the Blind, Inc. for the construction and capital equipping of a new LIFE Education Building at the Maryland School for the Blind, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all the funds necessary to complete this project (Baltimore City) 5,000,000

(N) Maryland Zoo in Baltimore – Infrastructure Improvements. Provide a grant to the **[**Directors**]** **BOARD OF TRUSTEES** of the Maryland Zoological Society, Inc. for the design, construction, and equipping of the African Penguin Exhibit and various infrastructure improvements or life safety projects (Baltimore City) 5,000,000

(Q) Sinai Hospital. Provide a grant to the Board of Directors of **[**Sinai Hospital, Inc.**]** **SINAI HOSPITAL OF BALTIMORE** for the design, renovation, and expansion of the new Neurological Rehabilitation Center – Traumatic Brain Injury Unit at Sinai Hospital, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 1,000,000

(R) USS Constellation Education Center and Heritage Center. Provide a grant to the **[**Advisory**]** Board **OF DIRECTORS** of the Historic Ships in Baltimore, Inc. to assist in the construction of a new Education and Heritage Center at the USS Constellation at the Inner Harbor, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) 1,000,000

(W) National Aquarium in Baltimore Infrastructure Improvements. Provide a grant equal to the lesser of (i) $2,500,000 or (ii) the amount of the matching fund provided, to the Board of **[**Governors**]** **DIRECTORS** of the National Aquarium in Baltimore, Inc. to assist in infrastructure improvements, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) 2,500,000

(X) YWCA Counseling and Community Service Building Renovation. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided to the Board of Directors of the Young Women's Christian Association of Annapolis and Anne Arundel **[**County**]** **COUNTY,** Maryland, Inc. for the planning, design, repair, renovation, and capital equipping of the YWCA Counseling and Community Service Building, located in Arnold. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County) 125,000

ZA01 MARYLAND HOSPITAL ASSOCIATION

(D) Brook Lane Health Services, Inc. Provide a grant to the Board of Directors of Brook Lane Health **[**Service, Incorporated**]** **SERVICES, INC.** to assist in the renovation and expansion of the Psychiatric Hospital in Hagerstown, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Washington County) 1,100,000

(F) Union Memorial Hospital. Provide a grant to the Board of Directors of **THE** Union Memorial Hospital, Inc. to assist in the renovation and expansion of the Renal Dialysis Unit in Baltimore, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 242,500

(G) Upper Chesapeake Medical Center, Inc. Provide a grant to the Board of Directors of Upper Chesapeake Medical **[**Incorporated**]** **CENTER, INC.** to assist in the renovation and

expansion of the Comprehensive Cancer Center in Bel Air, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Harford County) 750,000

ZA02 LOCAL SENATE INITIATIVES
(Statewide)

(C) Maryland Food Bank Sustainability Project. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of **[**the**]** **THE** Maryland Food Bank, Inc. for the planning, construction, repair, and capital equipping of the Maryland Food Bank Sustainability Project, located in Baltimore County (Statewide) 250,000

(D) Patricia and Arthur Modell Performing Arts Center at the Lyric. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the **BOARD OF TRUSTEES OF THE** Lyric Foundation, Inc. for the design, construction, renovation, and capital equipping of the Patricia and Arthur Modell Performing Arts Center at the Lyric, located in Baltimore, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust (Statewide) 250,000

(F) Friends Aware, **[**Inc.**]** **INCORPORATED** Site and **[**Project Development**]** **FACILITY**. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Friends Aware, **[**Inc.**]** **INCORPORATED** for the planning, design, and construction of the Friends Aware, **[**Inc.**]** **INCORPORATED** Site and **[**Project Development**]** **FACILITY, THAT WILL OFFER SOCIAL, OCCUPATIONAL, AND RESIDENTIAL OPPORTUNITIES TO INDIVIDUALS WITH DISABILITIES**, located in Cumberland (Allegany County) 125,000

(I) Meade High School Concession Stand. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the **[**Anne Arundel County**]** Board of Education **OF ANNE ARUNDEL COUNTY** for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the concession stand and bathrooms at Meade High School, located in Fort Meade**.**

NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT (Anne Arundel County) 150,000

(J) Samaritan House Addition. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Samaritan **[**House,**]** **HOUSES,** Inc. for the design, construction, and capital equipping of the Samaritan House, located in Annapolis (Anne Arundel County) 100,000

(K) YWCA Counseling and Community Service Building Renovation. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Young Women's Christian Association of Annapolis and Anne Arundel **[**County**]** **COUNTY,** Maryland, Inc. for the planning, design, repair, renovation, and capital equipping of the YWCA Counseling and Community Service Building, located in Arnold. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County) 75,000

(M) Arch Social Club Historic Site Restoration. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of **[**the**]** **THE** Arch Social Club, Inc. for the planning, design, construction, repair, renovation, and reconstruction of the Arch Social Club Historic Site, located in Baltimore City, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust (Baltimore City) 50,000

(O) Brooks Robinson Statue – Babe Ruth Birthplace Foundation. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Babe Ruth **BIRTHPLACE** Foundation, Inc. and the Mayor and City Council of Baltimore City for the design and construction of the Brooks Robinson Statue at the Babe Ruth Birthplace Foundation, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City) 100,000

(U) Miles Washington Family Support Center. Provide a grant of $175,000 to the Board of Trustees of **[**the**]** **THE** Miles Washington Family Support Center, Inc. for the planning, construction, repair, renovation, and capital equipping of the Miles Washington Family Support Center, located in Baltimore City, subject to a requirement that the grantee provide and expend a matching fund of $50,000, and subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Baltimore City) 175,000

(V) Mt. Lebanon CDC Community Center and Gymnasium. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mt. Lebanon Community Development **[**Corp.**]** **CORPORATION** for the planning, design, and construction of the Mt. Lebanon CDC Community Center and Gymnasium, located in Baltimore. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 50,000

(Y) Children's Home Therapeutic Group Home Building. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of **[**the**]** **THE** Children's Home, Inc. for the planning, design, and construction of the Children's Home Therapeutic Group Home Building, located in Catonsville. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore County) 200,000

(Z) Lansdowne Volunteer Fire Department. Provide a grant equal to the lesser of (i) $20,000 or (ii) the amount of the matching fund provided, to the **[**Lansdowne Volunteer Fire Department**]** **BOARD OF DIRECTORS OF THE LANSDOWNE VOLUNTEER FIRE ASSOCIATION NO. 1, INC.** for the acquisition, planning, design, site–development, and construction of a facility, located in Lansdowne. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore County) 20,000

(AB) Neighbor–Space of Baltimore County. Provide a grant **[**equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided,**]** **OF $150,000** to the County Executive and County Council of Baltimore County for the acquisition, planning, and capital equipping of the Neighbor–Space Project, located in Baltimore County. **[**Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act**]** (Baltimore County) 150,000

(AD) Calvert Marine Museum Exhibition Building. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the **BOARD OF GOVERNORS OF THE** Calvert Marine Museum Society, Inc. for the construction and renovation of the Calvert Marine Museum Exhibition Building, located in Prince Frederick (Calvert County) 250,000

(AJ) Indian Head Center for the Arts Renovation. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Indian Head Center for the Arts, Inc. **AND THE MAYOR AND TOWN COUNCIL OF THE TOWN OF INDIAN HEAD FOR THE CONSTRUCTION, RENOVATION, AND CAPITAL EQUIPPING OF THE INDIAN HEAD CENTER FOR THE ARTS**, located in Indian Head. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Charles County) 100,000

(AK) Jude House. Provide a grant of $50,000 to the Board of Directors of **[**the**]** **THE** Jude House, Inc. for the acquisition and construction of the parking lot and fencing, located in La Plata, subject to a requirement that the grantee provide and expend a matching fund of $15,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Charles County) 50,000

(AU) Montgomery Village Sports Association. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Montgomery Village Sports Association**, INC.** for the design and construction of the Montgomery Village South Valley Park, located in Montgomery Village (Montgomery County) 125,000

(AW) National Center for Children and Families Youth Activities

Center. Provide a grant equal to the lesser of (i) $225,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the National Center for Children and Families**, INC.** for the capital equipping of the National Center for Children and Families Youth Activities Center, located in Bethesda. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County) 225,000

(AY) Quebec Terrace Lighting. Provide a grant equal to the lesser of (i) $58,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of ArtPreneurs, Inc. for the planning, design, and construction of the Quebec Terrace lighting, located in **[**Wheaton**]** **MONTGOMERY COUNTY**. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Montgomery County) 58,000

(BB) Woodlawn Barn Visitor's Center. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Montgomery County Parks Foundation, Inc. and **[**Board of Directors of**]** the Maryland–National Capital Park and Planning Commission for the design, construction, repair, renovation, and rehabilitation of the Woodlawn Barn Visitor's Center, including the construction and installation of interpretive program exhibits, located in Silver Spring, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County) 50,000

(BD) Elizabeth Seton High School Window Upgrades. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Elizabeth Seton High School**, INC.** for the acquisition, renovation, and installation of energy efficient windows at Elizabeth Seton High School, located in Bladensburg (Prince George's County) 50,000

(BH) Harbor **[**Light**]** **LIGHTS** Community Development Center. Provide a grant equal to the lesser of (i) $40,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Harbor **[**Light**]** **LIGHTS** Community Development Corporation for the design, construction, and

renovation of the Harbor **[**Light**]** **LIGHTS** Community Development Center, located in Fort Washington (Prince George's County) 40,000

(BI) Labor of Love Learning Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Community Outreach and Development**, COMMUNITY DEVELOPMENT** Corporation for the renovation of the Labor of Love Learning Center, located in Capitol Heights**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT** (Prince George's County) 100,000

(BO) Antietam Chapter #312 Korean War Veterans Monument. Provide a grant equal to the lesser of (i) $40,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Korean War Veterans Association Antietam Chapter #312**, INCORPORATED** and the Mayor and **CITY** Council of the City of Hagerstown for the planning, design, construction, and capital equipping of the Antietam Chapter #312 Korean War Veterans Monument, located in Hagerstown. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Washington County) 40,000

(BP) Lockhouse 44, Lock 44, and Western MD Railroad Lift Bridge. Provide a grant equal to the lesser of (i) $175,000 or (ii) the amount of the matching fund provided, to the **[**Chesapeake and Ohio Canal National Historic Park**]** **NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR** for the planning, design, repair, and renovation of the Lockhouse 44, Lock 44, and Western MD Railroad Lift Bridge, located in Williamsport. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Washington County) 175,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES
(Statewide)

(A) Broad Creek Memorial Scout Reservation. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of

Baltimore Area Council, Boy Scouts of America**, INCORPORATED** for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Broad Creek Memorial Scout Reservation, located in Whiteford. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Statewide)..... 200,000

(D) Maryland Alliance of Boys & Girls Clubs – Renovations. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Maryland Alliance of Boys & Girls Clubs, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of various boys and girls clubs, located in Maryland**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT** (Statewide) 250,000

(E) Maryland Food Bank Sustainability Project. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of **[**the**] THE** Maryland Food Bank, Inc. for the planning, construction, repair, and capital equipping of the Maryland Food Bank Sustainability Project, located in Baltimore County (Statewide)..... 50,000

(F) Port Discovery. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of **[**the**] THE** Baltimore Children's Museum, Inc. for the planning, design, construction, repair, renovation, and capital equipping of the Port Discovery Children's Museum, located in Baltimore City (Statewide)..... 150,000

(H) Friends Aware, **[**Inc.**] INCORPORATED** Site and Project Development. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Friends Aware, **[**Inc.**] INCORPORATED** for the planning, design, and construction of the Friends Aware, **[**Inc.**] INCORPORATED** Site and **[**Project Development**] FACILITY, THAT WILL OFFER SOCIAL, OCCUPATIONAL, AND RESIDENTIAL OPPORTUNITIES TO INDIVIDUALS WITH DISABILITIES**, located in Cumberland (Allegany County)..... 125,000

(J) Shiplap House. Provide a grant **[**equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided,**]** **OF $250,000** to the Board of Trustees of Historic Annapolis, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Shiplap House, located in Annapolis**[**. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act**]** (Anne Arundel County) 250,000

(M) Arch Social Club Historic Site Restoration. Provide a grant equal to the lesser of (i) $68,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Arch Social Club, **[**Inc.**]** **INCORPORATED** for the planning, design, construction, repair, renovation, and reconstruction of the Arch Social Club Historic Site, located in Baltimore City, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust (Baltimore City) 68,000

(Q) Mt. Lebanon CDC Community Center and Gymnasium. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mt. Lebanon Community Development **[**Corp.**]** **CORPORATION** for the planning, design, and construction of the Mt. Lebanon CDC Community Center and Gymnasium, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City)..... 50,000

(T) Acorn Hill Natural Play Area. Provide a grant **[**equal to the lesser of (i) $215,000 or (ii) the amount of the matching fund provided,**]** **OF $215,000** to the County Executive and County Council of Baltimore County for the design and construction of the Acorn Hill Natural Play Area, located in Towson. **[**Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions**]** (Baltimore County)..... 215,000

(U) Arrow Child and Family Ministries. Provide a grant equal to the lesser of (i) $154,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Arrow Child and Family Ministries of Maryland**, INC.** for the repair and renovation of the Arrow Child and Family Ministries Facility, located in Baltimore County (Baltimore County) 154,000

(W) Children's Home Therapeutic Group Home Building. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of **[**the**]** **THE** Children's Home, Inc. for the planning, design, and construction of the Children's Home Therapeutic Group Home Building, located in Catonsville. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore County)..... 200,000

(X) Turf Field Security Investment. Provide a grant **[**equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided,**]** **OF $50,000** to the County Executive and County Council of Baltimore County and the Baltimore County Board of Education for the design, construction, and capital equipping of Baltimore County turf fields with security systems, located in Baltimore County. **[**Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions**]** (Baltimore County)..... 50,000

(Y) Senior Housing for the Disabled. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of **[**the**]** **THE** Benedictine School for Exceptional Children, Inc. for the construction of senior housing, located in Ridgely (Caroline County)..... 250,000

(AA) Milburn Stone Theatre. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cecil College Foundation**,** **INC.** d/b/a Friends of the Milburn Stone and Board of Trustees of Cecil College for the repair, renovation, and capital equipping of the Milburn Stone Theatre, located in North East (Cecil County)..... 100,000

(AB) Heritage House. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of **[**the**]** **THE** African American Heritage Society of Charles County, Inc. for the repair, renovation, and reconstruction of the Heritage House, located in La Plata. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Charles County)..... 100,000

(AC) Indian Head Center for the Arts Renovation. Provide a grant

equal to the lesser of (i) $70,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Indian Head Center for the Arts, Inc. **AND THE MAYOR AND TOWN COUNCIL OF THE TOWN OF INDIAN HEAD** for the construction, renovation, and capital equipping of the Indian Head Center for the Arts, located in Indian Head. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Charles County) 70,000

(AE) Aberdeen Youth Baseball Field. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the **CAL** Ripken **SR.** Foundation, Inc. for the construction of the Aberdeen Youth Baseball Field, located in Aberdeen (Harford County)..... 150,000

(AH) City of Rockville – Swim and Fitness Center. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of **THE CITY OF** Rockville for the reconstruction of the City of Rockville Swim and Fitness Center, located in Rockville (Montgomery County) 200,000

(AK) National Center for Children and Families Youth Activities Center. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of **[**the**]** **THE** National Center for Children and Families for the capital equipping of the National Center for Children and Families Youth Activities Center, located in Bethesda. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County) 25,000

(AM) Quebec Terrace Lighting. Provide a grant equal to the lesser of (i) $62,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of ArtPreneurs, Inc. for the planning, design, and construction of the Quebec Terrace lighting, located in **[**Wheaton**]** **MONTGOMERY COUNTY**. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Montgomery County) 62,000

(AO) Woodlawn Barn Visitor's Center. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Montgomery County

Parks Foundation, Inc. and Board of Directors of the **[**Maryland National**]** **MARYLAND–NATIONAL** Capital Park and Planning Commission for the design, construction, repair, renovation, and rehabilitation of the Woodlawn Barn Visitor's Center, including the construction and installation of interpretive program exhibits, located in Silver Spring, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County) 250,000

(AP) Fort Foote Elementary School Marquee Project. Provide a grant equal to the lesser of (i) $8,000 or (ii) the amount of the matching fund provided, to the **BOARD OF EDUCATION OF** Prince George's County **[**Board of Education**]** and the Board of Directors of the Fort Foote Elementary **[**School**]** PTA, Inc. for the planning, design, and construction of the Fort Foote Elementary School Marquee Project, located in Fort Washington. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Prince George's County) 8,000

(AU) Labor of Love Learning Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Community Outreach and Development**, COMMUNITY DEVELOPMENT** Corporation for the renovation of the Labor of Love Learning Center, located in Capitol Heights**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT** (Prince George's County) 100,000

(AX) Riverdale Sportsplex. Provide a grant equal to the lesser of (i) $350,000 or (ii) the amount of the matching fund provided, to the **[**School Board**]** **BOARD OF DIRECTORS** of the Riverdale Baptist School, Inc. for the construction of the Riverdale Sportsplex, located in Upper Marlboro. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Prince George's County)..... 350,000

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 431

(House Bill 292)

AN ACT concerning

Public Safety – Statewide DNA Data Base System – DNA Sample Collection on Arrest – Reporting Requirement and Repeal of Sunset

FOR the purpose of altering a certain reporting requirement to require law enforcement agencies and the Department of State Police to report certain information regarding DNA collection and analysis to the Governor's Office of Crime Control and Prevention instead of the Office of Legislative Audits; requiring the Governor's Office of Crime Control and Prevention to compile certain information and submit the information to the Office of Legislative Audits; repealing the termination date for certain provisions of the statewide DNA data base law applicable to the collection, analysis, and reporting of certain information relating to DNA; and generally relating to the statewide DNA data base system.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–514
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Chapter 337 of the Acts of the General Assembly of 2008
Section 4

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

Article – Public Safety

2–514.

(a) On or before April 1, 2010, and on or before April 1 of every even–numbered year thereafter, each local law enforcement unit shall report to the **[**Office of Legislative Audits**]** **GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION** on the status of crime scene DNA collection and analysis in its respective jurisdiction for the preceding calendar year, and the Department shall report to the **[**Office of Legislative Audits**]** **GOVERNOR'S OFFICE OF CRIME**

CONTROL AND PREVENTION on the status of crime scene DNA collection statewide for the preceding calendar year, including:

(1) the crimes for which crime scene DNA evidence is routinely collected;

(2) the approximate number of crime scene DNA evidence samples collected during the preceding year for each category of crime;

(3) the average time between crime scene DNA evidence collection and analysis;

(4) the number of crime scene DNA evidence samples collected and not analyzed at the time of the study;

(5) the number of crime scene DNA evidence samples submitted to the statewide DNA data base during the preceding year; and

(6) the number of crime scene DNA evidence samples, including sexual assault evidence, collected by hospitals in the county during the preceding year.

(b) **(1)** The **[**Office of Legislative Audits**]** **GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION** shall compile **[**and evaluate**]** the information reported by the local law enforcement units and the Department under subsection (a) of this section and submit **[**an**]** **THE INFORMATION TO THE OFFICE OF LEGISLATIVE AUDITS.**

(2) THE OFFICE OF LEGISLATIVE AUDITS SHALL EVALUATE THE INFORMATION RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND SUBMIT AN annual summary report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

Chapter 337 of the Acts of 2008

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2009. **[**It shall remain effective for a period of 5 years and, at the end of December 31, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.**]**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 432

(Senate Bill 2)

AN ACT concerning

Dorchester County – Turkey Hunting on Public Land – Sundays

FOR the purpose of authorizing a person to hunt turkey on certain public land on certain Sundays in Dorchester County; making this Act an emergency measure; and generally relating to turkey hunting on Sundays.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2012 Replacement Volume)

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

Article – Natural Resources

10–410.

(a) (1) Except as provided in paragraphs (2), (3), (4), and (6) of this subsection, a person may not hunt any game bird or mammal on Sundays.

(2) The following persons may hunt the specified game birds and mammals on Sundays:

(i) A person using State certified raptors to hunt game birds or mammals during open season;

(ii) An unarmed person participating in an organized fox chase to chase foxes;

(iii) Provided that the provisions of § 10–906(b)(3) of this title are met, a person:

1. Using a regulated shooting ground under § 10–906 of this title to hunt the following pen–reared game birds:

A. Pheasants;

B. Bobwhite quail;

C. Chukar partridge;

D. Hungarian partridge;

E. Tower released flighted mallard ducks; and

F. Turkey on a regulated shooting ground that was permitted to release turkey before September 1, 1992; and

2. Having the written permission of the owner of the land or other person designated by the owner of the land, if the land is owned or leased by a person other than the person hunting on Sundays;

(iv) Subject to the provisions of § 10–411 of this subtitle, in Allegany, Calvert, Caroline, Carroll, Charles, Dorchester, Frederick, Garrett, Harford, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties, a person hunting deer on private property with a bow and arrow or crossbow during open season on the last three Sundays in October and the second Sunday in November;

(v) Except on Easter Sunday, in Allegany County and Garrett County, a person hunting turkey on the last Sunday in April and the first Sunday in May; **[**and**]**

(vi) In Calvert County, Caroline County, Charles County, Dorchester County, and St. Mary's County, a person hunting turkey on private property on any Sunday during the spring turkey hunting season**; AND**

(VII) IN DORCHESTER COUNTY, A PERSON HUNTING TURKEY ON PUBLIC LAND <u>THAT IS DESIGNATED FOR HUNTING BY THE DEPARTMENT</u> ON ANY SUNDAY DURING THE SPRING TURKEY HUNTING SEASON.

(3) Subject to the provisions of § 10–415 of this subtitle, in Calvert County, Caroline County, Charles County, Harford County, St. Mary's County, Somerset County, and Worcester County, a person may hunt deer on private property on:

(i) The first Sunday of the bow hunting season in November; and

(ii) Each Sunday in the deer firearms season.

(4) Provided that the provisions of § 10–415 of this subtitle are met and subject to paragraph (5) of this subsection, the Department may allow a person to hunt deer on private property on the first Sunday of:

(i) The bow hunting season in November; and

(ii) The deer firearms season.

(5) The Sunday deer hunting provisions under paragraph (4) of this subsection do not apply:

(i) In Baltimore, Howard, and Prince George's counties; and

(ii) In Baltimore City.

(6) A person who is 16 years of age or younger may hunt deer with a firearm on a Sunday through participation in the junior deer hunt established under § 10–405(a) of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, May 16, 2013.

Chapter 433

(House Bill 66)

AN ACT concerning

Dorchester County – Turkey Hunting on Public Land – Sundays

FOR the purpose of authorizing a person to hunt turkey on <u>certain</u> public land on certain Sundays in Dorchester County; making this Act an emergency measure; and generally relating to turkey hunting on Sundays.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2012 Replacement Volume)

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

Article – Natural Resources

10–410.

(a) (1) Except as provided in paragraphs (2), (3), (4), and (6) of this subsection, a person may not hunt any game bird or mammal on Sundays.

(2) The following persons may hunt the specified game birds and mammals on Sundays:

(i) A person using State certified raptors to hunt game birds or mammals during open season;

(ii) An unarmed person participating in an organized fox chase to chase foxes;

(iii) Provided that the provisions of § 10–906(b)(3) of this title are met, a person:

1. Using a regulated shooting ground under § 10–906 of this title to hunt the following pen–reared game birds:

A. Pheasants;

B. Bobwhite quail;

C. Chukar partridge;

D. Hungarian partridge;

E. Tower released flighted mallard ducks; and

F. Turkey on a regulated shooting ground that was permitted to release turkey before September 1, 1992; and

2. Having the written permission of the owner of the land or other person designated by the owner of the land, if the land is owned or leased by a person other than the person hunting on Sundays;

(iv) Subject to the provisions of § 10–411 of this subtitle, in Allegany, Calvert, Caroline, Carroll, Charles, Dorchester, Frederick, Garrett, Harford, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties, a person hunting deer on private property with a bow and arrow or crossbow during open season on the last three Sundays in October and the second Sunday in November;

(v) Except on Easter Sunday, in Allegany County and Garrett County, a person hunting turkey on the last Sunday in April and the first Sunday in May; **[**and**]**

(vi) In Calvert County, Caroline County, Charles County, Dorchester County, and St. Mary's County, a person hunting turkey on private property on any Sunday during the spring turkey hunting season**; AND**

(VII) IN DORCHESTER COUNTY, A PERSON HUNTING TURKEY ON PUBLIC LAND THAT IS DESIGNATED FOR HUNTING BY THE DEPARTMENT ON ANY SUNDAY DURING THE SPRING TURKEY HUNTING SEASON.

(3) Subject to the provisions of § 10–415 of this subtitle, in Calvert County, Caroline County, Charles County, Harford County, St. Mary's County, Somerset County, and Worcester County, a person may hunt deer on private property on:

(i) The first Sunday of the bow hunting season in November; and

(ii) Each Sunday in the deer firearms season.

(4) Provided that the provisions of § 10–415 of this subtitle are met and subject to paragraph (5) of this subsection, the Department may allow a person to hunt deer on private property on the first Sunday of:

(i) The bow hunting season in November; and

(ii) The deer firearms season.

(5) The Sunday deer hunting provisions under paragraph (4) of this subsection do not apply:

(i) In Baltimore, Howard, and Prince George's counties; and

(ii) In Baltimore City.

(6) A person who is 16 years of age or younger may hunt deer with a firearm on a Sunday through participation in the junior deer hunt established under § 10–405(a) of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, May 16, 2013.

Chapter 434

(Senate Bill 27)

AN ACT concerning

Chesapeake Conservation Corps Program – *Funding* Extension

FOR the purpose of repealing certain limitations on the requirement to provide certain funding in certain fiscal years to the Chesapeake Conservation Corps Program for certain purposes from the Environmental Trust Fund; requiring certain funding for the Corps Program each fiscal year; *extending the termination date of a certain surcharge on electrical energy distributed to retail electric customers in the State;* and generally relating to the Chesapeake Conservation Corps Program and the Environmental Trust Fund.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section ~~3–302(a)(1)~~ *3–302(a) and (b)(1)* and 8–1913(a) and (c)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section ~~3–302(d)~~ *3–302(b)(2) and (d)* and 8–1921
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–203
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Natural Resources

3–302.

(a) (1) There is an Environmental Trust Fund.

(2) For the purpose of this subtitle, there is established as an added cost of electricity distributed to retail electric customers within the State, an environmental surcharge per kilowatt hour of electric energy distributed in the State to be paid by any electric company as defined in § 1–101 of the Public Utilities Article. The

Public Service Commission shall impose the surcharge per kilowatt hour of electric energy distributed to retail electric customers within the State and shall authorize the electric companies to add the full amount of the surcharge to retail electric customers' bills. To the extent that the surcharge is not collected from retail electric customers, the surcharge shall be deemed a cost of distribution and shall be allowed and computed as such, together with other allowable expenses, for rate–making purposes. Revenues from the surcharge shall be collected by the Comptroller and placed in the Fund.

(b) (1) The Secretary, in consultation with the Director of the Maryland Energy Administration, annually shall coordinate the preparation of a budget required to carry out the provisions of this subtitle. Upon approval of the budget by the General Assembly, the Public Service Commission shall establish the amount of the surcharge per kilowatt hour for the fiscal year beginning July 1, 1972, and for each subsequent fiscal year.

(2) Notwithstanding any other provisions of this subtitle, the amount of the surcharge for each account for each retail electric customer may not exceed the lesser of 0.15 mill per kilowatt hour or $1,000 per month and the surcharge may not continue beyond fiscal year ***[****2015****] 2020****.*

(d) (1) The Maryland Energy Administration shall receive administrative and fiscal support from the Fund for studies relating to the conservation or production of electric energy.

(2) Fiscal support to the Maryland Energy Administration from the Fund may not exceed $250,000 in any fiscal year.

(3) **[**In each of fiscal years 2011 through 2015, the**] THE** Chesapeake Bay Trust shall receive $250,000 from the Fund **EACH FISCAL YEAR** for the purpose of funding energy conservation projects through the Chesapeake Conservation Corps Program, as provided under §§ 8–1913 through 8–1924 of this article.

8–1913.

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

(c) "Corps Program" means the Chesapeake Conservation Corps Program established under § 8–1914 of this part.

8–1921.

(a) **[**For fiscal years 2011 through 2015, the**] THE** Corps Program shall be funded **EACH FISCAL YEAR** with:

(1) The amount specified in § 3–302(d) of this article; and

(2) Up to $250,000 in additional funds that may be allocated by the Trust through its annual budget process.

(b) The Trust and the Corps Board shall seek federal funds and grants and donations from private sources to be made to the Trust for the purpose of long–term funding of the Corps Program.

Article – Public Utilities

7–203.

(a) (1) The Commission shall:

(i) impose an environmental surcharge per kilowatt hour of electricity distributed to retail electric customers within the State; and

(ii) authorize each electric company to add the full amount of the surcharge to its customers' bills.

(2) To the extent that an electric company fails to collect the surcharge from its customers, the amount uncollected shall be deemed a cost of power distribution and allowed and computed as such together with other allowable expenses for purposes of rate making.

(b) (1) The Comptroller shall collect the revenue from the surcharge imposed under subsection (a) of this section and place the revenue into a special fund, the Environmental Trust Fund.

(2) The Comptroller shall maintain the method of collection of the surcharge from each electric company, and the money collected shall accrue to the Fund.

(c) (1) Each fiscal year, the Secretary of Natural Resources shall coordinate the preparation of the annual budget required to carry out the provisions of the Power Plant Research Program under Title 3, Subtitle 3 of the Natural Resources Article.

(2) Each fiscal year, on approval of the annual budget by the General Assembly for the Power Plant Research Program, the Commission shall establish the amount of the environmental surcharge per kilowatt hour of electric energy distributed in the State that is to be imposed on each electric company in accordance with subsection (a) of this section.

(d) (1) Notwithstanding any other provision of this subtitle, the amount of the surcharge for each account of each retail electric customer may not exceed the lesser of 0.15 mill per kilowatt hour or $1,000 per month.

(2) The Department of Natural Resources shall credit against the amount the Commission requires each electric company to pay into the Environmental Trust Fund 0.75% of the total surcharge amount attributed to the electric company on the basis of the amount of the electricity distributed in the State.

(e) To the extent that the Commission requires an electric company to report the total estimated kilowatt hours of electricity distributed in the State in order to calculate the surcharge under subsection (a)(1) of this section, a small rural electric cooperative described in § 7–502(a) of this title may satisfy the requirement by submitting to the Commission an estimate made in accordance with a formula approved by the Commission from information that the small rural electric cooperative submits to the rural utilities service that includes the required information.

*(f) The surcharge imposed under this subtitle shall terminate on June 30, [2015] **2020**.*

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 435

(House Bill 385)

AN ACT concerning

Chesapeake Conservation Corps Program – Funding Extension

FOR the purpose of repealing certain limitations on the requirement to provide certain funding in certain fiscal years to the Chesapeake Conservation Corps Program for certain purposes from the Environmental Trust Fund; requiring certain funding for the Corps Program each fiscal year; extending the termination date of a certain surcharge on electrical energy distributed to retail electric customers in the State; and generally relating to the Chesapeake Conservation Corps Program and the Environmental Trust Fund.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section ~~3–302(a)(1)~~ 3–302(a) and (b)(1) and 8–1913(a) and (c)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources

Section ~~3–302(d)~~ 3–302(b)(2) and (d) and 8–1921
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–203
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Natural Resources

3–302.

(a) (1) There is an Environmental Trust Fund.

(2) For the purpose of this subtitle, there is established as an added cost of electricity distributed to retail electric customers within the State, an environmental surcharge per kilowatt hour of electric energy distributed in the State to be paid by any electric company as defined in § 1–101 of the Public Utilities Article. The Public Service Commission shall impose the surcharge per kilowatt hour of electric energy distributed to retail electric customers within the State and shall authorize the electric companies to add the full amount of the surcharge to retail electric customers' bills. To the extent that the surcharge is not collected from retail electric customers, the surcharge shall be deemed a cost of distribution and shall be allowed and computed as such, together with other allowable expenses, for rate–making purposes. Revenues from the surcharge shall be collected by the Comptroller and placed in the Fund.

(b) (1) The Secretary, in consultation with the Director of the Maryland Energy Administration, annually shall coordinate the preparation of a budget required to carry out the provisions of this subtitle. Upon approval of the budget by the General Assembly, the Public Service Commission shall establish the amount of the surcharge per kilowatt hour for the fiscal year beginning July 1, 1972, and for each subsequent fiscal year.

(2) Notwithstanding any other provisions of this subtitle, the amount of the surcharge for each account for each retail electric customer may not exceed the lesser of 0.15 mill per kilowatt hour or $1,000 per month and the surcharge may not continue beyond fiscal year **[**2015**] 2020**.

(d) (1) The Maryland Energy Administration shall receive administrative and fiscal support from the Fund for studies relating to the conservation or production of electric energy.

(2) Fiscal support to the Maryland Energy Administration from the Fund may not exceed $250,000 in any fiscal year.

(3) **[**In each of fiscal years 2011 through 2015, the**]** **THE** Chesapeake Bay Trust shall receive $250,000 from the Fund **EACH FISCAL YEAR** for the purpose of funding energy conservation projects through the Chesapeake Conservation Corps Program, as provided under §§ 8–1913 through 8–1924 of this article.

8–1913.

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

(c) "Corps Program" means the Chesapeake Conservation Corps Program established under § 8–1914 of this part.

8–1921.

(a) **[**For fiscal years 2011 through 2015, the**]** **THE** Corps Program shall be funded **EACH FISCAL YEAR** with:

(1) The amount specified in § 3–302(d) of this article; and

(2) Up to $250,000 in additional funds that may be allocated by the Trust through its annual budget process.

(b) The Trust and the Corps Board shall seek federal funds and grants and donations from private sources to be made to the Trust for the purpose of long–term funding of the Corps Program.

Article – Public Utilities

7–203.

(a) (1) The Commission shall:

(i) impose an environmental surcharge per kilowatt hour of electricity distributed to retail electric customers within the State; and

(ii) authorize each electric company to add the full amount of the surcharge to its customers' bills.

(2) To the extent that an electric company fails to collect the surcharge from its customers, the amount uncollected shall be deemed a cost of power distribution and allowed and computed as such together with other allowable expenses for purposes of rate making.

(b) (1) The Comptroller shall collect the revenue from the surcharge imposed under subsection (a) of this section and place the revenue into a special fund, the Environmental Trust Fund.

(2) The Comptroller shall maintain the method of collection of the surcharge from each electric company, and the money collected shall accrue to the Fund.

(c) (1) Each fiscal year, the Secretary of Natural Resources shall coordinate the preparation of the annual budget required to carry out the provisions of the Power Plant Research Program under Title 3, Subtitle 3 of the Natural Resources Article.

(2) Each fiscal year, on approval of the annual budget by the General Assembly for the Power Plant Research Program, the Commission shall establish the amount of the environmental surcharge per kilowatt hour of electric energy distributed in the State that is to be imposed on each electric company in accordance with subsection (a) of this section.

(d) (1) Notwithstanding any other provision of this subtitle, the amount of the surcharge for each account of each retail electric customer may not exceed the lesser of 0.15 mill per kilowatt hour or $1,000 per month.

(2) The Department of Natural Resources shall credit against the amount the Commission requires each electric company to pay into the Environmental Trust Fund 0.75% of the total surcharge amount attributed to the electric company on the basis of the amount of the electricity distributed in the State.

(e) To the extent that the Commission requires an electric company to report the total estimated kilowatt hours of electricity distributed in the State in order to calculate the surcharge under subsection (a)(1) of this section, a small rural electric cooperative described in § 7–502(a) of this title may satisfy the requirement by submitting to the Commission an estimate made in accordance with a formula approved by the Commission from information that the small rural electric cooperative submits to the rural utilities service that includes the required information.

(f) The surcharge imposed under this subtitle shall terminate on June 30, **[**2015**] 2020**.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 436

(Senate Bill 42)

AN ACT concerning

State Government – Commemorative Days – Maryland Emancipation Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Maryland Emancipation Day; and generally relating to commemorative days.

BY adding to
Article – State Government
Section 13–411
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Government

13–411.

IN RECOGNITION OF THE EMANCIPATION OF THE SLAVES IN THE STATE, THE GOVERNOR ANNUALLY SHALL PROCLAIM NOVEMBER 1 AS MARYLAND EMANCIPATION DAY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 437

(Senate Bill 47)

AN ACT concerning

Procurement – ~~Maryland Buy American Steel and~~ Purchase of American Manufactured Goods ~~Act~~

FOR the purpose of altering the ~~Maryland Buy American Steel Act to include American manufactured goods; requiring a public body to require that certain~~

~~contractors and subcontractors use or supply only American manufactured goods under certain procurements; defining a term; providing for the application of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; and generally relating to the Maryland Buy American Steel and Manufactured Goods Act~~ State procurement law to grant a preference for American manufactured goods in State contracting; requiring a public body to require that certain contractors and subcontractors use or supply American manufactured goods under certain procurements; providing for the application and construction of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; defining certain terms; and generally relating to the purchase of American manufactured goods.

~~BY repealing and reenacting, with amendments,~~
~~Article – State Finance and Procurement~~
~~Section 17–301, 17–303, 17–304, and 17–306 to be under the amended subtitle "Subtitle 3. Buy American Procurement for Public Works"~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2012 Supplement)~~

BY ~~repealing and reenacting, without amendments,~~ adding to
Article – State Finance and Procurement
Section ~~17–302 and 17–305~~ 14–416
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Finance and Procurement

~~Subtitle 3. [Steel] BUY AMERICAN Procurement for Public Works.~~

~~17–301.~~

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

~~(B) "AMERICAN MANUFACTURED GOODS" MEANS GOODS FOR WHICH:~~

~~(1) ALL OF THE MANUFACTURING PROCESSES FOR THE FINAL PRODUCT TAKE PLACE IN THE UNITED STATES; AND~~

~~(2) ALL OF THE COMPONENTS OF THE FINAL PRODUCT ORIGINATE IN THE UNITED STATES ON ACCOUNT OF THE MANUFACTURING~~

~~**PROCESSES FOR THE COMPONENT, REGARDLESS OF THE ORIGIN OF THE SUBCOMPONENTS.**~~

~~**[**(b)**] (C)** "American steel product" means a product that is:~~

~~(1) produced from steel made in any state by the open hearth, basic oxygen, electric furnace, Bessemer, or other steel making process; and~~

~~(2) rolled, forged, drawn, cast, extruded, or otherwise similarly processed.~~

~~**[**(c)**] (D)** "Public body" means:~~

~~(1) the State;~~

~~(2) a unit of the State government; or~~

~~(3) a county, municipal corporation, school or conservation district, or other governmental entity that, by State law, awards contracts for public construction or other public work.~~

~~17–302.~~

~~The provisions of this subtitle do not apply if they conflict with a federal law or grant affecting a contract.~~

~~17–303.~~

~~(a) Except as otherwise provided in this subtitle, a public body shall require a contractor or subcontractor to use or supply only American steel products **AND AMERICAN MANUFACTURED GOODS** in the performance of a contract for:~~

~~(1) constructing or maintaining a public work; or~~

~~(2) buying or manufacturing machinery or equipment that:~~

~~(i) is composed of at least 10,000 pounds of steel products; and~~

~~(ii) is to be installed at a public work site.~~

~~(b) This section does not apply if the head of a public body determines that:~~

~~(1) the price of American steel products **OR AMERICAN MANUFACTURED GOODS** is not reasonable, as provided in § 17–304 of this subtitle;~~

~~(2) American steel products **OR AMERICAN MANUFACTURED GOODS** are not produced in sufficient quantity to meet the requirements of the contract; or~~

~~(3) the purchase of American steel products **OR AMERICAN MANUFACTURED GOODS** would be inconsistent with the public interest.~~

~~(c) The public body shall give notice of the requirement for American steel products **AND AMERICAN MANUFACTURED GOODS** in the invitation for bids or request for proposals.~~

~~17–304.~~

~~The Board shall adopt regulations, in accordance with Title 10, Subtitle 1 of the State Government Article, stating that a bid or offered price of an American steel product **OR AN AMERICAN MANUFACTURED GOOD** shall be considered reasonable if it does not exceed the sum of the bid or offered price of a similar steel product **OR MANUFACTURED GOOD** of foreign origin, including duty, plus:~~

~~(1) 20% of that bid or offered price; or~~

~~(2) 30% of that bid or offered price if the steel product **OR MANUFACTURED GOOD** is produced in a "substantial labor surplus area" as defined by the United States Department of Labor.~~

~~17–305.~~

~~(a) Unless a public body is satisfied that a person has completed the work in full compliance with §§ 17–303 and 17–304 of this subtitle, the public body may not pay or authorize a payment for work subject to §§ 17–303 and 17–304 of this subtitle to a person under a contract.~~

~~(b) If a person receives a payment that should not have been made under subsection (a) of this section, the Attorney General may recover the portion of the payment that is attributable to work that does not comply with §§ 17–303 and 17–304 of this subtitle directly from the person who did not comply with §§ 17–303 and 17–304 of this subtitle by filing a complaint in the circuit court for the county where the contract was executed or performed.~~

~~17–306.~~

~~This subtitle may be cited as the "Maryland Buy American Steel **AND MANUFACTURED GOODS** Act".~~

14–416.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "AMERICAN MANUFACTURED GOODS" MEANS GOODS THAT:

(I) ARE MANUFACTURED IN THE UNITED STATES; OR

(II) ARE ASSEMBLED IN THE UNITED STATES.

(3) (I) "EMERGENCY LIFE SAFETY AND PROPERTY SAFETY GOODS" MEANS ANY GOODS WHEN PROVIDED FOR INSTALLATION IN, AS PART OF, OR AS AN ADDITION TO A SYSTEM DESIGNED TO:

1. PREVENT, RESPOND TO, ALERT REGARDING, SUPPRESS, CONTROL, OR EXTINGUISH AN EMERGENCY OR THE CAUSE OF AN EMERGENCY THAT THREATENS LIFE OR PROPERTY; OR

2. ASSIST IN EVACUATION IN THE EVENT OF AN EMERGENCY THAT THREATENS LIFE OR PROPERTY.

(II) "EMERGENCY LIFE SAFETY AND PROPERTY SAFETY GOODS" INCLUDES*:*

1. SYSTEMS OR ITEMS FOR OR RELATING TO:

~~1.~~ *A.* FIRE ALARMS;

~~2.~~ *B.* FIRE SPRINKLERS;

~~3.~~ *C.* FIRE SUPPRESSION;

~~4.~~ *D.* FIRE EXTINGUISHING;

~~5.~~ *E.* SECURITY;

~~6.~~ *F.* GAS DETECTION;

~~7.~~ *G.* INTRUSION DETECTION;

~~8.~~ *H.* ACCESS CONTROL;

~~9.~~ *I.* VIDEO SURVEILLANCE AND RECORDING;

~~10.~~ *J.* MASS NOTIFICATION;

~~11.~~ *K.* PUBLIC ADDRESS;

~~12.~~ *L.* EMERGENCY LIGHTING;

~~13.~~ *M.* PATIENT WANDERING;

~~14.~~ *N.* INFANT TAGGING; AND

~~15.~~ *O.* NURSE CALL*; AND*

2. INFORMATION TECHNOLOGIES AND TELECOMMUNICATIONS PRODUCTS AND TECHNOLOGIES THAT ARE USED FOR THE PURPOSES LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(4) "PUBLIC BODY" MEANS:

(I) A UNIT;

(II) A COUNTY;

(III) A MUNICIPALITY IN THE STATE;

(IV) A SCHOOL DISTRICT IN THE STATE; OR

(V) A SPECIAL DISTRICT IN THE STATE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PUBLIC BODY SHALL REQUIRE A CONTRACTOR OR SUBCONTRACTOR TO USE OR SUPPLY AMERICAN MANUFACTURED GOODS IN THE PERFORMANCE OF A CONTRACT FOR:

(1) CONSTRUCTING OR MAINTAINING A PUBLIC WORK; OR

(2) BUYING OR MANUFACTURING MACHINERY OR EQUIPMENT THAT IS TO BE INSTALLED AT A PUBLIC WORK SITE.

(C) THIS SECTION DOES NOT APPLY:

(1) IF THE HEAD OF A PUBLIC BODY DETERMINES THAT:

(I) THE PRICE OF THE AMERICAN MANUFACTURED GOODS EXCEEDS THE PRICE OF A SIMILAR MANUFACTURED GOOD THAT IS NOT MANUFACTURED IN THE UNITED STATES BY AN UNREASONABLE AMOUNT;

(II) THE ITEM OR A SIMILAR ITEM IS NOT MANUFACTURED OR AVAILABLE FOR PURCHASE IN THE UNITED STATES IN REASONABLY AVAILABLE QUANTITIES;

(III) THE QUALITY OF THE ITEM OR A SIMILAR ITEM MANUFACTURED IN THE UNITED STATES IS SUBSTANTIALLY LESS THAN THE QUALITY OF A COMPARABLY PRICED, SIMILAR, AND AVAILABLE ITEM THAT IS NOT MANUFACTURED IN THE UNITED STATES; OR

(IV) THE PROCUREMENT OF A MANUFACTURED GOOD WOULD BE INCONSISTENT WITH THE PUBLIC INTEREST; OR

(2) TO EMERGENCY LIFE SAFETY AND PROPERTY SAFETY GOODS.

(D) THE BOARD OF PUBLIC WORKS SHALL ADOPT REGULATIONS TO DEFINE THE FOLLOWING TERMS FOR THE PURPOSES OF THIS SECTION:

(1) "REASONABLY AVAILABLE";

(2) "UNREASONABLE AMOUNT"; AND

(3) "SUBSTANTIALLY LESS".

SECTION 2. AND BE IT FURTHER ENACTED, That:

(1) This Act shall be applied in a manner consistent with the State's obligations under any applicable international agreement to which the State is bound; and

(2) This Act may not be construed to amend, alter, or impair any obligation imposed under Title 17, Subtitle 3 of the State Finance and Procurement Article.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 438

(House Bill 191)

AN ACT concerning

Procurement – ~~Maryland Buy American Steel and~~ Purchase of American Manufactured Goods ~~Act~~

FOR the purpose of altering the ~~Maryland Buy American Steel Act to include American manufactured goods; requiring a public body to require that certain contractors and subcontractors use or supply only American manufactured goods under certain procurements; defining a term; providing for the application of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; and generally relating to the Maryland Buy American Steel and Manufactured Goods Act~~ State procurement law to grant a preference for American manufactured goods in State contracting; requiring a public body to require that certain contractors and subcontractors use or supply American manufactured goods under certain procurements; providing for the application and construction of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; defining certain terms; and generally relating to the purchase of American manufactured goods.

~~BY repealing and reenacting, with amendments,~~
~~Article – State Finance and Procurement~~
~~Section 17–301, 17–303, 17–304, and 17–306 to be under the amended subtitle "Subtitle 3. Buy American Procurement for Public Works"~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2012 Supplement)~~

BY ~~repealing and reenacting, without amendments,~~ adding to
Article – State Finance and Procurement
Section ~~17–302 and 17–305~~ 14–416
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Finance and Procurement

~~Subtitle 3. [Steel] BUY AMERICAN Procurement for Public Works.~~

~~17–301.~~

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

~~**(B) "AMERICAN MANUFACTURED GOODS" MEANS GOODS FOR WHICH:**~~

~~**(1) ALL OF THE MANUFACTURING PROCESSES FOR THE FINAL PRODUCT TAKE PLACE IN THE UNITED STATES; AND**~~

~~**(2) ALL OF THE COMPONENTS OF THE FINAL PRODUCT ORIGINATE IN THE UNITED STATES ON ACCOUNT OF THE MANUFACTURING PROCESSES FOR THE COMPONENT, REGARDLESS OF THE ORIGIN OF THE SUBCOMPONENTS.**~~

~~**[**(b)**] (C)** "American steel product" means a product that is:~~

~~(1) produced from steel made in any state by the open hearth, basic oxygen, electric furnace, Bessemer, or other steel making process; and~~

~~(2) rolled, forged, drawn, cast, extruded, or otherwise similarly processed.~~

~~**[**(c)**] (D)** "Public body" means:~~

~~(1) the State;~~

~~(2) a unit of the State government; or~~

~~(3) a county, municipal corporation, school or conservation district, or other governmental entity that, by State law, awards contracts for public construction or other public work.~~

~~17–302.~~

~~The provisions of this subtitle do not apply if they conflict with a federal law or grant affecting a contract.~~

~~17–303.~~

~~(a) Except as otherwise provided in this subtitle, a public body shall require a contractor or subcontractor to use or supply only American steel products **AND AMERICAN MANUFACTURED GOODS** in the performance of a contract for:~~

~~(1) constructing or maintaining a public work; or~~

~~(2) buying or manufacturing machinery or equipment that:~~

~~(i) is composed of at least 10,000 pounds of steel products; and~~

~~(ii) is to be installed at a public work site.~~

~~(b) This section does not apply if the head of a public body determines that:~~

~~(1) the price of American steel products **OR AMERICAN MANUFACTURED GOODS** is not reasonable, as provided in § 17–304 of this subtitle;~~

~~(2) American steel products **OR AMERICAN MANUFACTURED GOODS** are not produced in sufficient quantity to meet the requirements of the contract; or~~

~~(3) the purchase of American steel products **OR AMERICAN MANUFACTURED GOODS** would be inconsistent with the public interest.~~

~~(c) The public body shall give notice of the requirement for American steel products **AND AMERICAN MANUFACTURED GOODS** in the invitation for bids or request for proposals.~~

~~17–304.~~

~~The Board shall adopt regulations, in accordance with Title 10, Subtitle 1 of the State Government Article, stating that a bid or offered price of an American steel product **OR AN AMERICAN MANUFACTURED GOOD** shall be considered reasonable if it does not exceed the sum of the bid or offered price of a similar steel product **OR MANUFACTURED GOOD** of foreign origin, including duty, plus:~~

~~(1) 20% of that bid or offered price; or~~

~~(2) 30% of that bid or offered price if the steel product **OR MANUFACTURED GOOD** is produced in a "substantial labor surplus area" as defined by the United States Department of Labor.~~

~~17–305.~~

~~(a) Unless a public body is satisfied that a person has completed the work in full compliance with §§ 17–303 and 17–304 of this subtitle, the public body may not pay or authorize a payment for work subject to §§ 17–303 and 17–304 of this subtitle to a person under a contract.~~

~~(b) If a person receives a payment that should not have been made under subsection (a) of this section, the Attorney General may recover the portion of the payment that is attributable to work that does not comply with §§ 17–303 and 17–304 of this subtitle directly from the person who did not comply with §§ 17–303 and 17–304 of this subtitle by filing a complaint in the circuit court for the county where the contract was executed or performed.~~

~~17–306.~~

~~This subtitle may be cited as the "Maryland Buy American Steel **AND MANUFACTURED GOODS** Act".~~

14–416.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "AMERICAN MANUFACTURED GOODS" MEANS GOODS THAT:

(I) ARE MANUFACTURED IN THE UNITED STATES; OR

(II) ARE ASSEMBLED IN THE UNITED STATES.

(3) (I) "EMERGENCY LIFE SAFETY AND PROPERTY SAFETY GOODS" MEANS ANY GOODS WHEN PROVIDED FOR INSTALLATION IN, AS PART OF, OR AS AN ADDITION TO A SYSTEM DESIGNED TO:

1. PREVENT, RESPOND TO, ALERT REGARDING, SUPPRESS, CONTROL, OR EXTINGUISH AN EMERGENCY OR THE CAUSE OF AN EMERGENCY THAT THREATENS LIFE OR PROPERTY; OR

2. ASSIST IN EVACUATION IN THE EVENT OF AN EMERGENCY THAT THREATENS LIFE OR PROPERTY.

(II) "EMERGENCY LIFE SAFETY AND PROPERTY SAFETY GOODS" INCLUDES*:*

***1.* SYSTEMS OR ITEMS FOR OR RELATING TO:**

~~1.~~ *A.* FIRE ALARMS;

~~2.~~ *B.* FIRE SPRINKLERS;

~~3.~~ *C.* FIRE SUPPRESSION;

~~4.~~ *D.* FIRE EXTINGUISHING;

~~5.~~ *E.* SECURITY;

~~6.~~ *F.* GAS DETECTION;

~~7.~~ *G.* INTRUSION DETECTION;

~~8.~~ *H.* ACCESS CONTROL;

~~9.~~ *I.* VIDEO SURVEILLANCE AND RECORDING;

~~10.~~ *J.* MASS NOTIFICATION;

~~11.~~ *K.* PUBLIC ADDRESS;

~~12.~~ *L.* EMERGENCY LIGHTING;

~~13.~~ *M.* PATIENT WANDERING;

~~14.~~ *N.* INFANT TAGGING; AND

~~15.~~ *O.* NURSE CALL*; AND*

2. INFORMATION TECHNOLOGIES AND TELECOMMUNICATIONS PRODUCTS AND TECHNOLOGIES THAT ARE USED FOR THE PURPOSES LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(4) "PUBLIC BODY" MEANS:

(I) A UNIT;

(II) A COUNTY;

(III) A MUNICIPALITY IN THE STATE;

(IV) A SCHOOL DISTRICT IN THE STATE; OR

(V) A SPECIAL DISTRICT IN THE STATE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PUBLIC BODY SHALL REQUIRE A CONTRACTOR OR SUBCONTRACTOR TO USE OR SUPPLY AMERICAN MANUFACTURED GOODS IN THE PERFORMANCE OF A CONTRACT FOR:

(1) CONSTRUCTING OR MAINTAINING A PUBLIC WORK; OR

(2) BUYING OR MANUFACTURING MACHINERY OR EQUIPMENT THAT IS TO BE INSTALLED AT A PUBLIC WORK SITE.

(C) THIS SECTION DOES NOT APPLY:

(1) IF THE HEAD OF A PUBLIC BODY DETERMINES THAT:

(I) THE PRICE OF THE AMERICAN MANUFACTURED GOODS EXCEEDS THE PRICE OF A SIMILAR MANUFACTURED GOOD THAT IS NOT MANUFACTURED IN THE UNITED STATES BY AN UNREASONABLE AMOUNT;

(II) THE ITEM OR A SIMILAR ITEM IS NOT MANUFACTURED OR AVAILABLE FOR PURCHASE IN THE UNITED STATES IN REASONABLY AVAILABLE QUANTITIES;

(III) THE QUALITY OF THE ITEM OR A SIMILAR ITEM MANUFACTURED IN THE UNITED STATES IS SUBSTANTIALLY LESS THAN THE QUALITY OF A COMPARABLY PRICED, SIMILAR, AND AVAILABLE ITEM THAT IS NOT MANUFACTURED IN THE UNITED STATES; OR

(IV) THE PROCUREMENT OF A MANUFACTURED GOOD WOULD BE INCONSISTENT WITH THE PUBLIC INTEREST; OR

(2) TO EMERGENCY LIFE SAFETY AND PROPERTY SAFETY GOODS.

(D) THE BOARD OF PUBLIC WORKS SHALL ADOPT REGULATIONS TO DEFINE THE FOLLOWING TERMS FOR THE PURPOSES OF THIS SECTION:

(1) "REASONABLY AVAILABLE";

(2) "UNREASONABLE AMOUNT"; AND

(3) "SUBSTANTIALLY LESS".

SECTION 2. AND BE IT FURTHER ENACTED, That:

(1) This Act shall be applied in a manner consistent with the State's obligations under any applicable international agreement to which the State is bound; and

(2) This Act may not be construed to amend, alter, or impair any obligation imposed under Title 17, Subtitle 3 of the State Finance and Procurement Article.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 439

(Senate Bill 58)

AN ACT concerning

Adult Education and Literacy Services – High School Diploma by Examination – Eligibility Requirements

FOR the purpose of repealing a certain minimum period of residency requirement for individuals who reside in Maryland and are seeking to obtain a high school diploma by examination; repealing a certain provision, rendered obsolete by this Act, relating to waivers of the minimum residency requirement; and generally relating to the requirements an individual must meet to obtain a high school diploma by examination.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–808
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Article – Labor and Employment

11–808.

(a) An individual may obtain a high school diploma by examination as provided in this section if the individual:

(1) has not obtained a high school diploma;

(2) **[**has resided in this State or on a federal reservation**]** **RESIDES** in this State **[**for at least 3 months, provided that the Secretary may waive the residence requirement if the Secretary considers the waiver justified**]**;

(3) is 16 years old or older; and

(4) has withdrawn from a regular full–time public or private school program.

(b) The Department shall offer examinations to individuals who are pursuing a high school diploma under this subtitle at least twice each year at places throughout the State that are reasonably convenient for the applicants.

(c) The examination shall:

(1) be offered in appropriate high school subject areas; and

(2) be of a comprehensive nature as determined by the State Board of Education.

(d) An individual who fails an examination may repeat taking the examination.

(e) A member of the armed forces may earn a Maryland high school diploma by taking the examinations furnished by the United States Armed Forces Institute and given by the appropriate service officer.

(f) The diploma shall be awarded in accordance with the regulations adopted by the Secretary and the State Board of Education.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 440

(Senate Bill 66)

AN ACT concerning

Maryland Home Improvement Commission – Membership, Quorum, ~~and~~ Meetings, and Reports

FOR the purpose of altering the membership of the Maryland Home Improvement Commission; *requiring the Governor to remove a member of the Commission if the member does not attend at least a certain number of certain Commission meetings, subject to an exception; requiring certain notice to be provided to the Governor; requiring the Governor to appoint a successor under certain circumstances;* altering the quorum requirement for the Commission; altering the required frequency of Commission meetings; requiring the Commission to report certain information to certain committees of the General Assembly on or before a certain date each year; and generally relating to the Maryland Home Improvement Commission.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 8–202(a) *and (g)* and 8–204(a) and (b)

Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Business Regulation

8–202.

(a) (1) The Commission consists of **[**7**] 9** members, appointed by the Governor with the advice of the Secretary.

(2) Of the **[**7**] 9** members of the Commission:

(i) ~~[~~3~~]~~ ~~4~~ shall have experience in some phase of the business of home improvement;

(ii) at least 1 shall have experience in the business of banking or finance; ~~and~~

(iii) **[**3**] 4** shall be consumer members**; AND**

(IV) 1 SHALL HAVE EXPERIENCE IN SOME PHASE OF THE BUSINESS OF HOME IMPROVEMENT OR SHALL BE A CONSUMER MEMBER.

(g) ***(1)*** *The Governor may remove a member for incompetence or misconduct.*

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT LEAST TWO–THIRDS OF THE COMMISSION MEETINGS HELD DURING THE PRIOR YEAR WHILE THE MEMBER WAS SERVING ON THE COMMISSION.

(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE PUBLIC.

(4) IN ACCORDANCE WITH § 8–501 OF THE STATE GOVERNMENT ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE GOVERNOR SHALL APPOINT A SUCCESSOR.

8–204.

(a) (1) ***(I)*** ~~A~~ ***SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A*** majority of the **[**authorized membership of**]** **MEMBERS THEN SERVING ON** the Commission is a quorum.

(II) A QUORUM MAY NOT BE FEWER THAN 4 MEMBERS.

(2) The Commission may not act unless at least a majority of the **[**authorized membership**]** **MEMBERS THEN SERVING** concur.

(b) (1) The Commission shall meet at least once **[**a month**]** **EVERY 2 MONTHS**.

(2) The Commission may hold meetings at the times and places in the State that it determines.

(C) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COMMISSION SHALL REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, REGARDING:

(1) THE ATTENDANCE RECORD OF EACH COMMISSION MEETING, DISAGGREGATED BY THE CONSTITUENCY THAT THE ATTENDEE REPRESENTS PURSUANT TO THE ATTENDEE'S APPOINTMENT UNDER § 8–202(A)(2) OF THIS SUBTITLE;

(2) HOW MANY CLAIMS WERE CLOSED AT EACH MEETING; AND

(3) HOW MANY CLAIMS REMAIN OPEN AT THE CONCLUSION OF EACH MEETING.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 441

(Senate Bill 82)

AN ACT concerning

Elevator Safety ~~Review Board~~ – Third–Party Inspectors – Certification

FOR the purpose of altering the definition of "third–party qualified elevator inspector", as it relates to the regulation of elevator safety, to require certification by a certain nationally recognized safety organization that meets certain standards; and generally relating to elevator safety and third–party qualified elevator inspectors.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–801
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article – Public Safety

12–801.

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

(b) "Accessibility lift mechanic" means a person who is engaged in erecting, constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or servicing commercial stairway chairlifts, vertical platform lifts, or incline platform lifts.

(c) "Accessibility lift mechanic specialist" means a person who is licensed as an accessibility lift mechanic and has been certified by the Board to erect, construct, wire, alter, replace, maintain, repair, dismantle, or service private residential elevators.

(d) "Board" means the Elevator Safety Review Board.

(e) "Certificate" means a certificate of registration and inspection issued by the Commissioner to operate an elevator unit.

(f) "Commissioner" means the Commissioner of Labor and Industry or an authorized representative of the Commissioner of Labor and Industry.

(g) "Dumbwaiter" means a hoisting and lowering machine equipped with a car of limited capacity and size that moves in guides in a substantially vertical direction and is used exclusively for carrying material.

(h) "Elevator" means a hoisting and lowering machine equipped with a car or platform that moves in guides in a substantially vertical direction and serves two or more floors of a building or structure.

(i) "Elevator contractor" means a person who is engaged in the business of erecting, constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or servicing elevator or accessibility lift units.

(j) "Elevator mechanic" means a person who is engaged in erecting, constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or servicing elevator or accessibility lift units.

(k) "Elevator refinisher" means a person who is engaged in the refinishing of existing metal and wood elements in elevator cabs, including the stripping of old lacquer on wood and bronze items, staining wood to match existing finishes, cleaning, polishing, oxidizing, painting, lacquering, and the removing of scratches to maintain existing finishes.

(l) "Elevator renovator contractor" means a person who is engaged in the business of performing work:

(1) on the interior of an elevator involving the removal or installation of the nonstructural surface of the elevator's wall, ceiling, floor, rail, or handle; and

(2) that does not affect the elevator's moving operation.

(m) "Elevator renovator mechanic" means a person who performs work:

(1) on the interior of an elevator involving the removal or installation of the nonstructural surface of the elevator's wall, ceiling, floor, rail, or handle; and

(2) that does not affect the elevator's moving operation.

(n) "Elevator unit" includes an elevator, escalator, dumbwaiter, and moving walk.

(o) "Escalator" means a power driven, inclined, continuous stairway used for raising and lowering passengers.

(p) "License" includes:

(1) an accessibility lift mechanic license;

(2) an elevator contractor license;

(3) an elevator mechanic license;

(4) an elevator renovator contractor license; and

(5) an elevator renovator mechanic license.

(q) "Moving walk" means a type of passenger–carrying device on which passengers stand or walk and in which the passenger–carrying surface remains parallel to its direction of motion and is uninterrupted.

(r) "Safety Code" means the American National Standard/American Society of Mechanical Engineers Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, known as ANSI A17.1–1971, and all subsequent amendments and revisions to it, as adopted by the Commissioner.

(s) "Secretary" means the Secretary of Labor, Licensing, and Regulation.

(t) "Third–party qualified elevator inspector" means an inspector who:

(1) meets the qualifications, insurance requirements, and procedures established by the Commissioner; and

(2) is certified by **[**an organization accredited by the American Society of Mechanical Engineers in accordance with the American National Standard/American Society of Mechanical Engineers Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, known as ANSI A17.1–1971, and all subsequent amendments,**]** **A NATIONALLY RECOGNIZED SAFETY ORGANIZATION ACCREDITED BY THE NATIONAL COMMISSION FOR CERTIFYING AGENCIES *OR THE AMERICAN NATIONAL STANDARDS INSTITUTE* THAT ENSURES THAT:**

(I) THE CERTIFICATION REQUIRES TESTING AND GRADING CONSISTENT WITH INDUSTRY RECOGNIZED CRITERIA and any related consensus standards**; AND**

(II) ANY RENEWAL OF CERTIFICATION REQUIRES CONTINUING EDUCATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 442

(Senate Bill 109)

AN ACT concerning

Criminal Law – ~~Controlled Dangerous Substances – Research – Synthetic Cannabinoids~~ Cannabimimetic Agents – Prohibition

FOR the purpose of ~~authorizing a certain authorized provider to conduct research in the State with certain controlled dangerous substances not scheduled under federal law under certain circumstances;~~ listing ~~synthetic cannabinoids~~ cannabimimetic agents on Schedule I ~~for purposes of designating~~ to designate controlled dangerous substances that may not be legally used, possessed, or distributed; defining a certain term; and generally relating to controlled dangerous substances.

BY renumbering
Article – Criminal Law
Section 5–101(e) through (ee), respectively
to be Section 5–101(f) through (ff), respectively
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–101(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY adding to
Article – Criminal Law
Section 5–101~~(ff)~~ (e)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section ~~5–304 and~~ 5–402(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 5–101(e) through (ee), respectively, of Article – Criminal Law of the Annotated Code of Maryland be renumbered to be Section(s) 5–101(f) through (ff), respectively.

~~SECTION 1.~~ SECTION 2. AND BE IT FURTHER ENACTED ~~BY THE GENERAL ASSEMBLY OF MARYLAND~~, That the Laws of Maryland read as follows:

Article – Criminal Law

5–101.

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

~~(FF)~~ (E) (1) "~~SYNTHETIC CANNABINOID" MEANS A CHEMICAL COMPOUND THAT IS CHEMICALLY SYNTHESIZED AND~~ CANNABIMIMETIC AGENTS" MEANS SUBSTANCES THAT ARE CANNABINOID RECEPTOR TYPE 1 (CB1 RECEPTOR) AGONISTS AS DEMONSTRATED BY BINDING STUDIES AND FUNCTIONAL ASSAYS WITHIN ONE OF THE FOLLOWING STRUCTURAL CLASSES:

(I) ~~HAS BEEN DEMONSTRATED TO HAVE BINDING ACTIVITY AT ONE OR MORE CANNABINOID RECEPTORS; OR~~ 2–(3–HYDROXYCYCLOHEXYL)PHENOL WITH SUBSTITUTION AT THE 5–POSITION OF THE PHENOLIC RING BY ALKYL OR ALKENYL, WHETHER OR NOT SUBSTITUTED ON THE CYCLOHEXYL RING TO ANY EXTENT;

(II) ~~IS A CHEMICAL ANALOG OR ISOMER OF A COMPOUND THAT HAS BEEN DEMONSTRATED TO HAVE BINDING ACTIVITY AT ONE OR MORE CANNABINOID RECEPTORS~~ 3–(1–NAPHTHOYL)INDOLE OR 3–(1–NAPHTHYLMETHANE)INDOLE BY SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE RING, WHETHER OR NOT FURTHER SUBSTITUTED ON THE INDOLE RING TO ANY EXTENT AND WHETHER OR NOT SUBSTITUTED ON THE NAPHTHOYL OR NAPHTHYL RING TO ANY EXTENT;

(III) 3–(1–NAPHTHOYL)PYRROLE BY SUBSTITUTION AT THE NITROGEN ATOM OF THE PYRROLE RING, WHETHER OR NOT FURTHER SUBSTITUTED IN THE PYRROLE RING TO ANY EXTENT AND WHETHER OR NOT SUBSTITUTED ON THE NAPHTHOYL RING TO ANY EXTENT;

(IV) 1–(1–NAPHTHYLMETHYLENE)INDENE BY SUBSTITUTION OF THE 3–POSITION OF THE INDENE RING, WHETHER OR NOT FURTHER SUBSTITUTED IN THE INDENE RING TO ANY EXTENT AND WHETHER OR NOT SUBSTITUTED ON THE NAPHTHYL RING TO ANY EXTENT; OR

(V) 3–PHENYLACETYLINDOLE OR 3–BENZOYLINDOLE BY SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE RING, WHETHER OR NOT FURTHER SUBSTITUTED IN THE INDOLE RING TO ANY EXTENT AND WHETHER OR NOT SUBSTITUTED ON THE PHENYL RING TO ANY EXTENT.

(2) "~~SYNTHETIC CANNABINOID~~ CANNABIMIMETIC AGENTS" INCLUDES:

(I) ~~1–[2–(4–MORPHOLINYL)ETHYL]–3–(1–NAPHTHOYL) INDOLE (ALSO KNOWN AS JWH–200)~~ 5–(1,1–DIMETHYLHEPTYL)–2–[(1R,3S)–3–HYDROXYCYCLOHEXYL]–PHENOL (CP–47,497);

(II) ~~1–BUTYL–3–(1–NAPHTHOYL) INDOLE (ALSO KNOWN AS JWH–073)~~ 5–(1,1–DIMETHYLOCTYL)–2–[(1R,3S)–3–HYDROXYCYCLOHEXYL]–PHENOL (CANNABICYCLOHEXANOL OR CP–47,497 C8–HOMOLOG);

(III) ~~1–HEXYL–3–(1–NAPHTHOYL) INDOLE (ALSO KNOWN AS JWH–019)~~ 1–PENTYL–3–(1–NAPHTHOYL)INDOLE (JWH–018 AND AM678);

(IV) ~~1–PENTYL–3–(1–NAPHTHOYL) INDOLE (ALSO KNOWN AS JWH–018)~~ 1–BUTYL–3–(1–NAPHTHOYL)INDOLE (JWH–073);

(V) ~~1–PENTYL–3–(2–METHOXYPHENYLACETYL) INDOLE (ALSO KNOWN AS JWH–250)~~ 1–HEXYL–3–(1–NAPHTHOYL)INDOLE (JWH–019);

(VI) ~~1–PENTYL–3–(4–CHLORO–1–NAPHTHOYL) INDOLE (ALSO KNOWN AS JWH–398)~~ 1–[2–(4–MORPHOLINYL)ETHYL]–3–(1–NAPHTHOYL)INDOLE (JWH–200);

(VII) ~~2–[(1R, 3S)–3–HYDROXYCYCLOHEXYL]–5–(2–METHYLOCTAN–2–YL)PHENOL (ALSO KNOWN AS CP–47, 497 AND ITS C6, C7, C8, AND C9 HOMOLOGUES)~~ 1–PENTYL–3–(2–METHOXYPHENYLACETYL)INDOLE (JWH–250);

(VIII) ~~(2–METHYL–1–PROPYL–1H–INDOL–3–YL)–1–NAPHTHALENYL– METHANONE (ALSO KNOWN AS JWH–015)~~ 1–PENTYL–3–[1–(4–METHOXYNAPHTHOYL)]INDOLE (JWH–081);

(IX) ~~(6aR, 10aR)–9–(HYDROXYMETHYL)–6, 6–DIMETHYL–3–(2–METHYLOCTAN–2–YL)–6a, 7, 10, 10a–TETRAHYDROBENZO[C]–CHROMEN–1–OL) (ALSO KNOWN AS HU–210)~~ 1–PENTYL–3–(4–METHYL–1–NAPHTHOYL)INDOLE (JWH–122); ~~AND~~

(X) ~~DEXANABINOL (6aS, 10aS)–9–(HYDROXYMETHYL)–6, 6–DIMETHYL–3–(2–METHYLOCTAN–2–YL)–6a, 7, 10, 10a–TETRAHYDROBENZO[C]CHROMEN–1–OL (ALSO KNOWN AS HU–211)~~ 1–PENTYL–3–(4–CHLORO–1–NAPHTHOYL)INDOLE (JWH–398);

(XI) 1–(5–FLUOROPENTYL)–3–(1–NAPHTHOYL)INDOLE (AM2201);

(XII) 1–(5–FLUOROPENTYL)–3–(2–IODOBENZOYL)INDOLE (AM694);

(XIII) 1–PENTYL–3–[(4–METHOXY)–BENZOYL]INDOLE (SR–19 AND RCS–4);

(XIV) 1–CYCLOHEXYLETHYL–3–(2–METHOXYPHENYLACETYL)INDOLE (SR–18 AND RCS–8); AND

(XV) 1–PENTYL–3–(2–CHLOROPHENYLACETYL)INDOLE (JWH–203).

~~(3) "SYNTHETIC CANNABINOID" DOES NOT INCLUDE ANY DRUG THAT HAS BEEN APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION.~~

~~5–304.~~

~~(a) If an authorized provider is authorized to dispense or conduct research under State law, the Department shall register the authorized provider to dispense a controlled dangerous substance or to conduct research with a controlled dangerous substance listed in Schedule II through Schedule V.~~

~~(b) The Department need not require separate registration under this section for an authorized provider who is:~~

~~(1) engaged in research with a nonnarcotic controlled dangerous substance in Schedule II through Schedule V; and~~

~~(2) already registered under this subtitle in another capacity.~~

~~(c) An authorized provider may conduct research in the State with a controlled dangerous substance listed in Schedule I if the authorized provider is:~~

~~(1) registered under federal law to conduct research with a controlled dangerous substance listed in Schedule I and gives evidence of the registration to the Department; OR~~

~~(2) APPROVED BY A FEDERALLY REGISTERED INSTITUTIONAL BOARD OR INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE TO CONDUCT RESEARCH ON A CONTROLLED DANGEROUS SUBSTANCE LISTED IN SCHEDULE I THAT IS NOT SCHEDULED UNDER FEDERAL LAW AND GIVES EVIDENCE OF THE APPROVAL TO THE DEPARTMENT.~~

5–402.

(d) (1) A material, compound, mixture, or preparation that contains any of the following hallucinogenic or hallucinogenic–like substances is a substance listed in Schedule I:

(i) bufotenine;

(ii) diethyltryptamine;

(iii) dimethyltryptamine;

(iv) 4–methyl–2, 5–dimethoxyamphetamine;

(v) ibogaine;

(vi) lysergic acid diethylamide;

(vii) marijuana;

(viii) mescaline;

(ix) peyote;

(x) psilocybin;

(xi) psilocyn;

(xii) tetrahydrocannabinol;

(xiii) thiophene analog of phencyclidine;

(xiv) 2, 5–dimethoxyamphetamine;

(xv) 4–bromo–2, 5–dimethoxyamphetamine;

(xvi) 4–methoxyamphetamine;

(xvii) 3, 4–methylenedioxyamphetamine;

(xviii) 3, 4–methylenedioxymethamphetamine (MDMA);

(xix) 5–methoxy–3, 4–methylenedioxyamphetamine;

(xx) 3, 4, 5–trimethoxyamphetamine;

(xxi) N–methyl–3–piperidyl benzilate;

(xxii) N–ethyl–3–piperidyl benzilate;

(xxiii) N–ethyl–1–phenylcyclohexylamine;

(xxiv) 1–(1–phenylcyclohexyl)–pyrrolidine;

(xxv) 1–(1–(2–thienyl)–cyclohexyl)–piperidine;

(xxvi) 1–methyl–4–phenyl–4–propionoxypiperidine (MPPP);

(xxvii) 1–(2–phenylethyl)–4–phenyl–4–acetyloxypiperidine (PEPAP)**;**

(xxviii) 3, 4–methylenedioxymethcathinone (methylone);

(xxix) 3, 4–methylenedioxypyrovalerone (MDPV);

(xxx) 4–methylmethcathinone (mephedrone);

(xxxi) 4–methoxymethcathinone (methedrone);

(xxxii) 4–fluoromethcathinone (flephedrone); **[**and**]**

(xxxiii) 3–fluoromethcathinone (3–FMC)**; AND**

(XXXIV) ~~SYNTHETIC CANNABINOIDS~~ **CANNABIMIMETIC AGENTS**.

(2) Unless specifically excepted under this subtitle, a salt, isomer, or salt of an isomer of a substance listed in this subsection is a substance listed in Schedule I if the existence of the salt, isomer, or salt of an isomer is possible within the specific chemical designation.

~~SECTION 2.~~ SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 443

(Senate Bill 124)

AN ACT concerning

Income Tax Credit for Qualifying Employees – Sunset Repeal ~~and Expansion~~

FOR the purpose of repealing certain termination provisions and altering certain dates of applicability for certain tax credits allowed to employers that hire certain qualifying individuals with disabilities; ~~allowing an individual or corporation to claim a credit against the State income tax for certain wages paid to certain qualified veterans; providing for the application of this Act~~ *declaring the intent of the General Assembly*; and generally relating to a credit against the State income tax for certain qualified individuals with disabilities ~~and certain qualified veterans~~.

BY repealing and reenacting, with amendments,
Chapter 112 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, Chapter 252 of the Acts of the General Assembly of 2010, Chapter 558 of the Acts of the General Assembly of 2011, and Chapter 467 of the Acts of the General Assembly of 2012
Section 4 and 6

BY repealing and reenacting, with amendments,
Chapter 113 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, Chapter 252 of the Acts of the General Assembly of 2010, Chapter 558 of the Acts of the General Assembly of 2011, and Chapter 467 of the Acts of the General Assembly of 2012
Section 4 and 6

~~BY repealing and reenacting, with amendments,~~
~~Article – Tax – General~~
~~Section 10–704.7~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2012 Supplement)~~

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

Chapter 112 of the Acts of 1997, as amended by Chapter 614 of the Acts of 1998, Chapter 448 of the Acts of 2000, Chapter 454 of the Acts of 2003, Chapter 394 of the Acts of 2006, Chapter 370 of the Acts of 2007, Chapter 658 of the Acts of 2008, Chapter 290 of the Acts of 2009, Chapter 252 of the Acts of 2010, Chapter 558 of the Acts of 2011, and Chapter 467 of the Acts of 2012

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall be applicable to all taxable years beginning after December 31, 1996 **[**but before January 1, 2016**]**; provided, however, that the tax credit under § 21–309 of the Education Article, as enacted under Section 1 of this Act, shall be allowed only for employees hired on or after October 1, 1997 **[**but before July 1, 2013; and provided further that any excess credits under § 21–309 of the Education Article may be carried forward and, subject to the limitations under § 21–309 of the Education Article, may be applied as a credit for taxable years beginning on or after January 1, 2016**]**.

SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 4 of this Act, this Act shall take effect October 1, 1997. **[**It shall remain in effect for a period of 15 years and 9 months and at the end of June 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.**]**

Chapter 113 of the Acts of 1997, as amended by Chapter 614 of the Acts of 1998, Chapter 448 of the Acts of 2000, Chapter 454 of the Acts of 2003, Chapter 394 of the Acts of 2006, Chapter 370 of the Acts of 2007, Chapter 658 of the Acts of 2008, Chapter 290 of the Acts of 2009, Chapter 252 of the Acts of 2010, Chapter 558 of the Acts of 2011, and Chapter 467 of the Acts of 2012

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall be applicable to all taxable years beginning after December 31, 1996 **[**but before January 1, 2016**]**; provided, however, that the tax credit under § 21–309 of the Education Article, as enacted under Section 1 of this Act, shall be allowed only for employees hired on or after October 1, 1997 **[**but before July 1, 2013; and provided further that any excess credits under § 21–309 of the Education Article may be carried forward and, subject to the limitations under § 21–309 of the Education Article, may be applied as a credit for taxable years beginning on or after January 1, 2016**]**.

SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 4 of this Act, this Act shall take effect October 1, 1997. **[**It shall remain in effect for a period of 15 years and 9 months and at the end of June 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.**]**

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

~~**Article – Tax – General**~~

~~10–704.7.~~

~~(A) (1) IN THIS SECTION, "QUALIFIED VETERAN" MEANS AN INDIVIDUAL CERTIFIED BY THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION WHO:~~

~~(I) 1. SERVED ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES FOR AT LEAST 180 DAYS; OR~~

~~2. WAS DISCHARGED OR RELEASED FROM ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES FOR A SERVICE–CONNECTED DISABILITY; AND~~

~~(II) IS A MEMBER OF A FAMILY THAT RECEIVED SUPPLEMENTAL NUTRITION ASSISTANCE UNDER THE FEDERAL FOOD AND NUTRITION ACT OF 2008 FOR AT LEAST 3 MONTHS DURING THE 12–MONTH PERIOD PRIOR TO THE INDIVIDUAL'S HIRING DATE.~~

~~(2) "QUALIFIED VETERAN" INCLUDES A DISABLED VETERAN CERTIFIED BY THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION WHO IS ENTITLED TO COMPENSATION FOR A SERVICE–CONNECTED DISABILITY AND:~~

~~(I) IS HIRED WITHIN 1 YEAR FROM THE DATE THE INDIVIDUAL WAS DISCHARGED OR RELEASED FROM ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES; OR~~

~~(II) HAS BEEN UNEMPLOYED FOR AT LEAST 6 MONTHS DURING THE 12–MONTH PERIOD PRIOR TO THE INDIVIDUAL'S HIRING DATE.~~

~~[(a)] (B) An individual or a corporation may claim a credit against the income tax for:~~

~~(1) wages paid to a qualified employee with a disability; [and]~~

~~(2) (i) child care provided or paid for by a business entity for the children of a qualified employee with a disability as provided under § 21–309 of the Education Article; or~~

~~(ii) transportation provided or paid for by the business entity for a qualified employee with a disability as provided under § 21–309 of the Education Article; AND~~

~~(3) WAGES PAID TO A QUALIFIED VETERAN.~~

~~[(b)] (C) (1) An organization that is exempt from taxation under § 501(c)(3) or (4) of the Internal Revenue Code may apply the credit under this section:~~

~~(i) as a credit against income tax due on unrelated business taxable income as provided under §§ 10–304 and 10–812 of this title; or~~

~~(ii) as a credit for the payment to the Comptroller of taxes that the organization:~~

~~1. is required to withhold from the wages of employees under § 10–908 of this title; and~~

~~2. is required to pay to the Comptroller under § 10–906(a) of this title.~~

~~(2) If the credit allowed under this subsection in any taxable year exceeds the sum of the State income tax otherwise payable by the organization for that taxable year and the taxes that the organization has withheld from the wages of employees and is required to pay to the Comptroller under § 10–906(a) of this title for the taxable year, the organization may apply the excess as a credit under paragraph (1)(i) or (ii) of this subsection in succeeding taxable years for the carryforward period provided in § 21–309 of the Education Article.~~

~~(3) The Comptroller shall adopt regulations to provide procedures for claiming and applying credits authorized under paragraph (1)(ii) of this subsection.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012.~~

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Labor, Licensing, and Regulation, the Department of Disabilities, and the Department of Veterans Affairs make every effort to promote and market the Qualifying Employees with Disabilities Tax Credit to Maryland employers.

SECTION ~~4.~~ *3.* AND BE IT FURTHER ENACTED, That~~, except as provided in Section 3 of this Act,~~ this Act shall take effect June 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 444

(Senate Bill 149)

AN ACT concerning

Dorchester County – Alcoholic Beverages – Micro–Breweries

FOR the purpose of authorizing the Comptroller to issue a Class 7 micro–brewery license to a holder of a Class D beer license in Dorchester County; providing for the hours and days for consumer sales under the Class 7 micro–brewery license; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–208(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–208(b) and (f)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article 2B – Alcoholic Beverages

2–208.

(a) There is a Class 7 micro–brewery (on– and off–sale) license.

(b) The license shall be issued:

(1) By the State Comptroller;

(2) Only in the following jurisdictions:

(i) Allegany County;

(ii) Baltimore City;

(iii) Baltimore County;

(iv) The City of Annapolis;

(v) Anne Arundel County;

(vi) Calvert County;

(vii) Carroll County;

(viii) Charles County;

(ix) Dorchester County;

(x) Frederick County;

(xi) Garrett County;

(xii) Harford County;

(xiii) Howard County;

(xiv) Kent County;

(xv) Montgomery County;

(xvi) Prince George's County;

(xvii) Talbot County;

(xviii) Washington County;

(xix) Wicomico County; and

(xx) Worcester County;

(3) (i) Only to a holder of a Class B beer, wine and liquor (on–sale) license that is issued for use on the premises of a restaurant located in a jurisdiction listed in paragraph (2) of this subsection;

(ii) To a holder of a Class D beer (off–sale) license that is issued for use on the premises of the existing Class D license if the premises are located in Kent County or the Town of Berlin in Worcester County; or

(iii) To a holder of a Class D alcoholic beverages license that is issued for use on the premises of the existing Class D license if the premises are located in:

1. The 22nd Alcoholic Beverages District of Prince George's County; **[**or**]**

2. Washington County; **[**and**]** **OR**

3. DORCHESTER COUNTY; AND

(4) In addition to item (3) of this subsection, in Montgomery County only to a holder of a Class H beer and light wine license that is issued for use on the premises of a restaurant located in the County.

(f) (1) Except as provided in paragraph (2) of this subsection, the hours and days for consumer sales under a Class 7 micro–brewery license are as established for:

(i) A Class B license in the respective jurisdictions listed in subsection (b)(2) of this section, for a holder of a Class B beer, wine and liquor license;

(ii) A Class D beer license in Worcester County, for a holder of a Class D beer license in the Town of Berlin in Worcester County; **[**or**]**

(iii) A Class D license in Kent County**; OR**

(IV) A CLASS D BEER LICENSE IN DORCHESTER COUNTY.

(2) For Class D licensees in the 22nd Alcoholic Beverages District in Prince George's County only, the hours and days for consumer sales under this license are as established for a Class D license in Prince George's County.

(3) For Class D licensees in Washington County, the hours and days for consumer sales under this license are as established for a Class D license in Washington County.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 445

(House Bill 68)

AN ACT concerning

Dorchester County – Alcoholic Beverages – Micro–Breweries

FOR the purpose of authorizing the Comptroller to issue a Class 7 micro–brewery license to a holder of a Class D beer license in Dorchester County; providing for

the hours and days for consumer sales under the Class 7 micro–brewery license; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–208(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–208(b) and (f)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article 2B – Alcoholic Beverages

2–208.

(a) There is a Class 7 micro–brewery (on– and off–sale) license.

(b) The license shall be issued:

(1) By the State Comptroller;

(2) Only in the following jurisdictions:

(i) Allegany County;

(ii) Baltimore City;

(iii) Baltimore County;

(iv) The City of Annapolis;

(v) Anne Arundel County;

(vi) Calvert County;

(vii) Carroll County;

(viii) Charles County;

(ix) Dorchester County;

(x) Frederick County;

(xi) Garrett County;

(xii) Harford County;

(xiii) Howard County;

(xiv) Kent County;

(xv) Montgomery County;

(xvi) Prince George's County;

(xvii) Talbot County;

(xviii) Washington County;

(xix) Wicomico County; and

(xx) Worcester County;

(3) (i) Only to a holder of a Class B beer, wine and liquor (on–sale) license that is issued for use on the premises of a restaurant located in a jurisdiction listed in paragraph (2) of this subsection;

(ii) To a holder of a Class D beer (off–sale) license that is issued for use on the premises of the existing Class D license if the premises are located in Kent County or the Town of Berlin in Worcester County; or

(iii) To a holder of a Class D alcoholic beverages license that is issued for use on the premises of the existing Class D license if the premises are located in:

1. The 22nd Alcoholic Beverages District of Prince George's County; **[**or**]**

2. Washington County; **[**and**] OR**

3. DORCHESTER COUNTY; AND

(4) In addition to item (3) of this subsection, in Montgomery County only to a holder of a Class H beer and light wine license that is issued for use on the premises of a restaurant located in the County.

(f) (1) Except as provided in paragraph (2) of this subsection, the hours and days for consumer sales under a Class 7 micro–brewery license are as established for:

(i) A Class B license in the respective jurisdictions listed in subsection (b)(2) of this section, for a holder of a Class B beer, wine and liquor license;

(ii) A Class D beer license in Worcester County, for a holder of a Class D beer license in the Town of Berlin in Worcester County; **[**or**]**

(iii) A Class D license in Kent County**; OR**

(IV) A CLASS D BEER LICENSE IN DORCHESTER COUNTY.

(2) For Class D licensees in the 22nd Alcoholic Beverages District in Prince George's County only, the hours and days for consumer sales under this license are as established for a Class D license in Prince George's County.

(3) For Class D licensees in Washington County, the hours and days for consumer sales under this license are as established for a Class D license in Washington County.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 446

(Senate Bill 150)

AN ACT concerning

Dorchester County – Alcoholic Beverages – Refillable Containers

FOR the purpose of creating in Dorchester County a refillable container license; authorizing the Board of License Commissioners to issue the license to holders of certain alcoholic beverages licenses; specifying that a holder of the refillable container license may sell draft beer for consumption off the licensed premises in a certain refillable container; prohibiting a holder of a refillable container license to display or provide shelving for beer for off–premises consumption; specifying that a container to be used as a refillable container meet certain requirements; requiring that an applicant for a refillable container license meet certain requirements and pay a certain annual license fee; requiring that applicants for a refillable container license meet certain advertising, posting of

notice, and public hearing requirements; specifying the term of a refillable container license; specifying the hours of sale for a refillable container license; authorizing a holder of a refillable container license to refill only a container that was branded by the license holder; authorizing the Board to adopt certain regulations; defining a certain term; and generally relating to alcoholic beverages in Dorchester County.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–210
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article 2B – Alcoholic Beverages

8–210.

(A) IN THIS SECTION, "BOARD" MEANS THE BOARD OF LICENSE COMMISSIONERS OF DORCHESTER COUNTY.

(B) THIS SECTION APPLIES ONLY IN DORCHESTER COUNTY.

(C) THERE IS A REFILLABLE CONTAINER LICENSE.

(D) THE BOARD MAY ISSUE A REFILLABLE CONTAINER LICENSE TO A HOLDER OF AN ALCOHOLIC BEVERAGES LICENSE THAT IS A:

(1) CLASS B BEER LICENSE;

(2) CLASS B BEER AND LIGHT WINE LICENSE;

(3) CLASS B BEER, WINE AND LIQUOR LICENSE;

(4) CLASS D BEER LICENSE;

(5) CLASS D BEER AND LIGHT WINE LICENSE; OR

(6) CLASS D BEER, WINE AND LIQUOR LICENSE.

(E) SUBJECT TO SUBSECTION (F) OF THIS SECTION, A REFILLABLE CONTAINER LICENSE ENTITLES THE HOLDER TO SELL DRAFT BEER FOR

CONSUMPTION OFF THE PREMISES IN A REFILLABLE CONTAINER WITH A CAPACITY OF NOT LESS THAN 32 OUNCES AND NOT MORE THAN 128 OUNCES.

(F) IN AREAS OF THE LICENSED PREMISES THAT ARE ACCESSIBLE TO THE PUBLIC, A HOLDER OF A REFILLABLE CONTAINER LICENSE MAY NOT DISPLAY OR PROVIDE SHELVING FOR BEER FOR CONSUMPTION OFF THE PREMISES.

(G) TO BE USED AS A REFILLABLE CONTAINER, A CONTAINER SHALL:

(1) BE SEALABLE;

(2) BE BRANDED WITH AN IDENTIFYING MARK OF THE LICENSE HOLDER;

(3) BEAR THE FEDERAL HEALTH WARNING STATEMENT REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 16.21;

(4) DISPLAY INSTRUCTIONS FOR CLEANING THE CONTAINER; AND

(5) BEAR A LABEL STATING THAT:

(I) CLEANING THE CONTAINER IS THE RESPONSIBILITY OF THE CONSUMER; AND

(II) THE CONTENTS OF THE CONTAINER ARE PERISHABLE AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED WITHIN 48 HOURS AFTER PURCHASE.

(H) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER LICENSE, THE APPLICANT SHALL:

(1) COMPLETE THE FORM THAT THE BOARD PROVIDES; AND

(2) PAY AN ANNUAL LICENSE FEE OF:

(I) $500 FOR AN APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE DOES NOT HAVE AN OFF–SALE PRIVILEGE; OR

(II) $50 FOR AN APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE HAS AN OFF–SALE PRIVILEGE.

(I) AN APPLICANT FOR A REFILLABLE CONTAINER LICENSE THAT HOLDS AN ALCOHOLIC BEVERAGE LICENSE WITHOUT AN OFF–SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE ALCOHOLIC BEVERAGES LICENSE THAT THE APPLICANT HOLDS.

(J) THE TERM OF A REFILLABLE CONTAINER LICENSE ISSUED TO A SUCCESSFUL APPLICANT IS THE SAME AS THAT OF THE ALCOHOLIC BEVERAGES LICENSE THAT THE APPLICANT HOLDS.

(K) THE HOURS OF SALE FOR A REFILLABLE CONTAINER LICENSE:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE ALCOHOLIC BEVERAGES LICENSE ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER LICENSE IS ISSUED; AND

(2) END AT MIDNIGHT.

(L) THE HOLDER OF A REFILLABLE CONTAINER LICENSE MAY REFILL ONLY A REFILLABLE CONTAINER THAT WAS BRANDED BY THE LICENSE HOLDER.

(M) THE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING LIMITING THE NUMBER OF REFILLABLE CONTAINER LICENSES THAT MAY BE ISSUED IN THE COUNTY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 447

(House Bill 133)

AN ACT concerning

Dorchester County – Alcoholic Beverages – Refillable Containers

FOR the purpose of creating in Dorchester County a refillable container license; authorizing the Board of License Commissioners to issue the license to holders of certain alcoholic beverages licenses; specifying that a holder of the refillable container license may sell draft beer for consumption off the licensed premises in a certain refillable container; prohibiting a holder of a refillable container

license to display or provide shelving for beer for off–premises consumption; specifying that a container to be used as a refillable container meet certain requirements; requiring that an applicant for a refillable container license meet certain requirements and pay a certain annual license fee; requiring that applicants for a refillable container license meet certain advertising, posting of notice, and public hearing requirements; specifying the term of a refillable container license; specifying the hours of sale for a refillable container license; authorizing a holder of a refillable container license to refill only a container that was branded by the license holder; authorizing the Board to adopt certain regulations; defining a certain term; and generally relating to alcoholic beverages in Dorchester County.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–210
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article 2B – Alcoholic Beverages

8–210.

(A) IN THIS SECTION, "BOARD" MEANS THE BOARD OF LICENSE COMMISSIONERS OF DORCHESTER COUNTY.

(B) THIS SECTION APPLIES ONLY IN DORCHESTER COUNTY.

(C) THERE IS A REFILLABLE CONTAINER LICENSE.

(D) THE BOARD MAY ISSUE A REFILLABLE CONTAINER LICENSE TO A HOLDER OF AN ALCOHOLIC BEVERAGES LICENSE THAT IS A:

(1) CLASS B BEER LICENSE;

(2) CLASS B BEER AND LIGHT WINE LICENSE;

(3) CLASS B BEER, WINE AND LIQUOR LICENSE;

(4) CLASS D BEER LICENSE;

(5) CLASS D BEER AND LIGHT WINE LICENSE; OR

(6) CLASS D BEER, WINE AND LIQUOR LICENSE.

(E) SUBJECT TO SUBSECTION (F) OF THIS SECTION, A REFILLABLE CONTAINER LICENSE ENTITLES THE HOLDER TO SELL DRAFT BEER FOR CONSUMPTION OFF THE PREMISES IN A REFILLABLE CONTAINER WITH A CAPACITY OF NOT LESS THAN 32 OUNCES AND NOT MORE THAN 128 OUNCES.

(F) IN AREAS OF THE LICENSED PREMISES THAT ARE ACCESSIBLE TO THE PUBLIC, A HOLDER OF A REFILLABLE CONTAINER LICENSE MAY NOT DISPLAY OR PROVIDE SHELVING FOR BEER FOR CONSUMPTION OFF THE PREMISES.

(G) TO BE USED AS A REFILLABLE CONTAINER, A CONTAINER SHALL:

(1) BE SEALABLE;

(2) BE BRANDED WITH AN IDENTIFYING MARK OF THE LICENSE HOLDER;

(3) BEAR THE FEDERAL HEALTH WARNING STATEMENT REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 16.21;

(4) DISPLAY INSTRUCTIONS FOR CLEANING THE CONTAINER; AND

(5) BEAR A LABEL STATING THAT:

(I) CLEANING THE CONTAINER IS THE RESPONSIBILITY OF THE CONSUMER; AND

(II) THE CONTENTS OF THE CONTAINER ARE PERISHABLE AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED WITHIN 48 HOURS AFTER PURCHASE.

(H) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER LICENSE, THE APPLICANT SHALL:

(1) COMPLETE THE FORM THAT THE BOARD PROVIDES; AND

(2) PAY AN ANNUAL LICENSE FEE OF:

(I) $500 FOR AN APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE DOES NOT HAVE AN OFF–SALE PRIVILEGE; OR

(II) $50 FOR AN APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE HAS AN OFF–SALE PRIVILEGE.

(I) AN APPLICANT FOR A REFILLABLE CONTAINER LICENSE THAT HOLDS AN ALCOHOLIC BEVERAGE LICENSE WITHOUT AN OFF–SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE ALCOHOLIC BEVERAGES LICENSE THAT THE APPLICANT HOLDS.

(J) THE TERM OF A REFILLABLE CONTAINER LICENSE ISSUED TO A SUCCESSFUL APPLICANT IS THE SAME AS THAT OF THE ALCOHOLIC BEVERAGES LICENSE THAT THE APPLICANT HOLDS.

(K) THE HOURS OF SALE FOR A REFILLABLE CONTAINER LICENSE:

(1) BEGIN AT THE SAME TIME AS THOSE FOR THE ALCOHOLIC BEVERAGES LICENSE ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER LICENSE IS ISSUED; AND

(2) END AT MIDNIGHT.

(L) THE HOLDER OF A REFILLABLE CONTAINER LICENSE MAY REFILL ONLY A REFILLABLE CONTAINER THAT WAS BRANDED BY THE LICENSE HOLDER.

(M) THE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING LIMITING THE NUMBER OF REFILLABLE CONTAINER LICENSES THAT MAY BE ISSUED IN THE COUNTY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 448

(Senate Bill 161)

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

FOR the purpose of authorizing the governing body of a common ownership community to foreclose on a lien against a unit owner~~, member,~~ or lot owner

only if the damages secured by the lien consist solely of certain delinquent assessments *and certain reasonable costs and attorney's fees* under certain circumstances; *providing for the application of this Act;* defining certain terms; and generally relating to the foreclosure of liens by the governing body of a common ownership community.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–204
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Real Property

14–204.

(a) **[**A**] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A** lien may be enforced and foreclosed by the party who obtained the lien in the same manner, and subject to the same requirements, as the foreclosure of mortgages or deeds of trust on property in this State containing a power of sale or an assent to a decree.

(b) If the owner of property subject to a lien is personally liable for alleged damages, suit for any deficiency following foreclosure may be maintained in the same proceeding, and suit for a monetary judgment for unpaid damages may be maintained without waiving any lien securing the same.

(c) Any action to foreclose a lien shall be brought within 12 years following recordation of the statement of lien.

(D) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "COMMON OWNERSHIP COMMUNITY" MEANS:

1. A CONDOMINIUM AS DEFINED IN § 11–101 OF THIS ARTICLE; *OR*

2. ~~A COOPERATIVE HOUSING CORPORATION AS DEFINED IN § 5–6B–01 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE; OR~~

~~3.~~ **A HOMEOWNERS ASSOCIATION AS DEFINED IN § 11B–101 OF THIS ARTICLE.**

(III) "GOVERNING BODY" MEANS A PERSON WHO HAS AUTHORITY TO ENFORCE THE DECLARATION, ARTICLES OF INCORPORATION, BYLAWS, RULES, OR REGULATIONS OF A COMMON OWNERSHIP COMMUNITY.

(2) NOTWITHSTANDING THE DECLARATION, ARTICLES OF INCORPORATION, BYLAWS, RULES, OR REGULATIONS OF A COMMON OWNERSHIP COMMUNITY, A GOVERNING BODY MAY FORECLOSE ON A LIEN AGAINST A UNIT OWNER, MEMBER, OR LOT OWNER ONLY IF THE DAMAGES SECURED BY THE LIEN:

(I) CONSIST SOLELY ~~OF DELINQUENT~~ *OF:*

1. DELINQUENT ~~**MONTHLY**~~ **PERIODIC** ***ASSESSMENTS*** **OR SPECIAL ASSESSMENTS; AND**

2. REASONABLE COSTS AND ATTORNEY'S FEES DIRECTLY RELATED TO THE FILING OF THE LIEN AND NOT EXCEEDING THE AMOUNT OF THE DELINQUENT ASSESSMENTS; AND

(II) DO NOT INCLUDE FINES IMPOSED BY THE GOVERNING BODY OR ATTORNEY'S FEES RELATED TO RECOVERING THE FINES.

(3) THIS SUBSECTION DOES NOT PRECLUDE A GOVERNING BODY FROM USING ANY OTHER MEANS TO ENFORCE A LIEN AGAINST A UNIT OWNER~~,~~ ~~MEMBER,~~ OR LOT OWNER ~~FOR DELINQUENT MONTHLY PERIODIC OR SPECIAL ASSESSMENTS~~.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any lien filed before the effective date of this Act.

SECTION ~~2.~~ *3.* AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 449

(House Bill 286)

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

FOR the purpose of authorizing the governing body of a common ownership community to foreclose on a lien against a unit owner~~, member,~~ or lot owner only if the damages secured by the lien consist solely of certain delinquent assessments~~, costs,~~ and *certain reasonable costs and* attorney's fees under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to the foreclosure of liens by the governing body of a common ownership community.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–204
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Real Property

14–204.

(a) **[**A**] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A** lien may be enforced and foreclosed by the party who obtained the lien in the same manner, and subject to the same requirements, as the foreclosure of mortgages or deeds of trust on property in this State containing a power of sale or an assent to a decree.

(b) If the owner of property subject to a lien is personally liable for alleged damages, suit for any deficiency following foreclosure may be maintained in the same proceeding, and suit for a monetary judgment for unpaid damages may be maintained without waiving any lien securing the same.

(c) Any action to foreclose a lien shall be brought within 12 years following recordation of the statement of lien.

(D) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "COMMON OWNERSHIP COMMUNITY" MEANS:

1. A CONDOMINIUM AS DEFINED IN § 11–101 OF THIS ARTICLE; OR

2. ~~A COOPERATIVE HOUSING CORPORATION AS DEFINED IN § 5–6B–01 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE; OR~~

~~3.~~ A HOMEOWNERS ASSOCIATION AS DEFINED IN § 11B–101 OF THIS ARTICLE.

(III) "GOVERNING BODY" MEANS A PERSON WHO HAS AUTHORITY TO ENFORCE THE DECLARATION, ARTICLES OF INCORPORATION, BYLAWS, RULES, OR REGULATIONS OF A COMMON OWNERSHIP COMMUNITY.

(2) NOTWITHSTANDING THE DECLARATION, ARTICLES OF INCORPORATION, BYLAWS, RULES, OR REGULATIONS OF A COMMON OWNERSHIP COMMUNITY, A GOVERNING BODY MAY FORECLOSE ON A LIEN AGAINST A UNIT OWNER~~, MEMBER,~~ OR LOT OWNER ONLY IF THE DAMAGES SECURED BY THE LIEN:

(I) CONSIST SOLELY OF ~~DELINQUENT~~:

1. DELINQUENT ~~MONTHLY~~ PERIODIC ASSESSMENTS OR SPECIAL ASSESSMENTS; AND

2. ~~COSTS~~ *REASONABLE COSTS* AND ATTORNEY'S FEES DIRECTLY RELATED TO THE FILING OF THE LIEN ~~OR EFFORTS TO COLLECT~~ *AND NOT EXCEEDING THE AMOUNT OF* THE DELINQUENT ASSESSMENTS; AND

(II) DO NOT INCLUDE FINES IMPOSED BY THE GOVERNING BODY OR ATTORNEY'S FEES RELATED TO RECOVERING THE FINES.

(3) THIS SUBSECTION DOES NOT PRECLUDE A GOVERNING BODY FROM USING ANY OTHER MEANS TO ENFORCE A LIEN AGAINST A UNIT OWNER~~, MEMBER,~~ OR LOT OWNER ~~FOR DELINQUENT MONTHLY OR SPECIAL ASSESSMENTS~~.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any lien filed before the effective date of this Act.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 450

(Senate Bill 190)

AN ACT concerning

State Government – Notary Public – Appointment

FOR the purpose of authorizing a State Senator to delegate the Senator's authority to approve an applicant for notary public to the Secretary of State; authorizing the Governor to appoint and commission, under certain circumstances, an individual as a notary public on the approval of the Secretary; requiring a certain application, under certain circumstances, to bear or be accompanied by the written approval of the Secretary; and generally relating to the appointment of a notary public.

BY repealing and reenacting, with amendments,
Article – State Government
Section 18–101 and 18–103(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Government

18–101.

(a) **(1)** [The] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE** Governor, on approval of the application by a Senator representing the senatorial district and subdistrict in which the applicant resides or on approval by any Senator if the senatorial office representing the senatorial district and subdistrict in which the applicant resides is vacant, may appoint and commission individuals as notaries public as provided in this title.

(2) (I) A SENATOR MAY DELEGATE THE SENATOR'S AUTHORITY TO APPROVE APPLICANTS UNDER THIS SUBSECTION TO THE SECRETARY OF STATE.

(II) IF A SENATOR HAS DELEGATED APPROVAL AUTHORITY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE GOVERNOR MAY APPOINT AND COMMISSION AN INDIVIDUAL AS A NOTARY PUBLIC AS PROVIDED IN THIS TITLE ON APPROVAL OF THE APPLICATION BY THE SECRETARY OF STATE.

(b) (1) The Governor, on approval of the application by the Secretary of State and a member of the Senate of Maryland, shall appoint and commission out–of–state individuals as notaries public as provided in this title.

(2) An out–of–state notary shall be deemed to have irrevocably appointed the Secretary of State as the notary's agent upon whom may be served any summons, subpoena, subpoena duces tecum, or other process.

18–103.

(a) (1) An application for original appointment as a notary public shall be made on forms prepared by the Secretary of State and shall be sworn to by the applicant.

(2) **(I)** **[**An**]** **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN** application by a resident of the State shall bear or be accompanied by the written approval of a Senator representing the senatorial district and subdistrict in which the applicant resides or, if that office is vacant, by any Senator's written approval.

(II) IF A SENATOR HAS DELEGATED APPROVAL AUTHORITY UNDER § 18–101 OF THIS SUBTITLE, THE APPLICATION SHALL BEAR OR BE ACCOMPANIED BY THE WRITTEN APPROVAL OF THE SECRETARY OF STATE.

(3) An application by an out–of–state individual shall bear or be accompanied by the written approval of a Maryland State Senator.

(4) Completed applications shall be filed with the Secretary of State.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 451

(Senate Bill 194)

AN ACT concerning

Education – Charter Schools – Study to Recommend Improvements to the Maryland Public Charter School Program

FOR the purpose of requiring the Maryland State Department of Education to conduct a certain study and provide certain recommendations to the Governor and the General Assembly on or before a certain date regarding improvements to the Maryland Public Charter School Program; *requiring the Maryland State Department of Education to submit a report on the status of a certain study to the Governor and the General Assembly on or before a certain date;* requiring the Department of Legislative Services to review a certain methodology, data analysis, findings, and recommendations and to make certain comments or recommendations, if any, on or before a certain date; declaring a certain intent of the General Assembly ~~and a certain priority of the State~~; providing for the termination of this Act; and generally relating to improving the Maryland Public Charter School Program.

~~Preamble~~

~~WHEREAS, This year marks the tenth anniversary of the passage of the Maryland Public Charter School Program; and~~

~~WHEREAS, Charter schools are founded upon the principles of academic excellence and increasing opportunity for all families to choose the most promising schools to serve their children; and~~

~~WHEREAS, Charter schools are performance-based public schools that receive the autonomy to implement innovative strategies to improve the design and quality of providing a public education in exchange for adhering to strict accountability for student achievement; and~~

~~WHEREAS, Charter schools demonstrate the collective responsibility of all Maryland communities to ensure high-quality educational experiences for students, by the founding of such schools by parents, teachers, and community organizations; and~~

~~WHEREAS, An outstanding charter school system in Maryland provides the competition and motivation for all public schools to increase academic performance, expand choices in public education, and continue to close the achievement gap; and~~

~~WHEREAS, Since the passage of the Maryland Public Charter School Program in 2003, charter schools have expanded to a total of 52 schools in seven jurisdictions, and the State strongly supports the continuous growth of charter schools since strong schools are the building blocks of a strong and prosperous state; and~~

~~WHEREAS, Maryland currently occupies the next-to-last position in national studies regarding effective charter school laws; and~~

~~WHEREAS, Maryland was not awarded the federal charter school program grant that supports the opening and expansion of charter schools due to the current posture of the Maryland Public Charter School Program; now, therefore,~~

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

~~(a) It is the intent of the General Assembly that the growth of charter schools in the State be continued and that families be offered increased educational choices and options through charter schools.~~

~~(b)~~ (a) The General Assembly declares that a reflection on the status and effectiveness of Title 9 of the Education Article of the Annotated Code, the Maryland Public Charter School Program, ~~shall be a State priority~~ is timely in light of its tenth anniversary taking place in 2013.

~~(c)~~ (b) On or before ~~December 15~~ November 1, ~~2013~~ *2014*, the Maryland State Department of Education shall conduct a study and provide recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, to the General Assembly, regarding:

~~(1) Maryland's inability to meet the criteria of the federal charter school program grant due to the current posture of the Maryland Public Charter School Program;~~

~~(2)~~ (1) expenditures relating to opening and operating a high quality charter school ~~and the amount of per pupil cost allocations provided to charter schools based upon school system total revenues~~;

~~(3) the impact of the condition of the facilities, and the funding of facilities, on charter school growth; and~~

(2) the amount of per pupil funding provided to charter schools as compared to traditional public schools including a disaggregation by major category as described under § 5–101(b)(2) of the Education Article for each county;

(3) how the per pupil funding provided at elementary, middle, and high school levels in charter schools in each county exceeds, equals, or is less than the per pupil funding amount available to traditional public schools;

(4) Maryland's options to access federal charter school program grants;

(5) the academic, financial, and other performance of charter schools in Maryland;

(6) the primary causes of charter school successes and failures in the State;

(7) the availability of extracurricular and experience–based learning opportunities at charter schools;

(8) teacher satisfaction, retention, and turnover at charter schools;

(9) student enrollment and retention data and trends at charter schools, including a disaggregation of enrollment and retention by categories of English Language Learners, services for students with disabilities, race, ethnicity, and free and reduced price meal status, compared to traditional public schools in each county;

(10) parent satisfaction at charter schools;

(11) ways to integrate best practices between charter schools and noncharter schools operating within a local jurisdiction;

(12) issues relating to the costs, availability, potential liabilities of outstanding capital debt, and financing of facilities, including risks to charter sponsors and local school systems;

(13) the use of contract schools, transformation schools, and other models similar to charter schools; and

~~(4)~~ (14) the current state of local policies and practices that impact the sustainability of charter schools in the State.

~~(d)~~ (c) The study conducted and recommendations provided under subsection ~~(c)~~ (b) of this section shall include:

(1) documented consultation and cooperation with interested stakeholders including at least one representative from the American Federation of Teachers, the Maryland State Education Association, the Maryland Association of Boards of Education, charter school operators, parents of public school students, and charter school advocates;

~~(1)~~ (2) a review and analysis of charter school laws deemed effective in other states for the purpose of comparison to the Maryland Public Charter School Program;

~~(2)~~ (3) a review and analysis of research regarding innovative practices for charter schools and charter school authorizers; and

~~(3)~~ (4) recommendations for improvements to the Maryland Public Charter School Program.

(d) On or before December 1, 2013, the Maryland State Department of Education shall submit a report on the status of the study being conducted under subsection (b) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, to the General Assembly.

~~(d)~~ *(e)* On or before December 31, ~~2013~~ *2014*, the Department of Legislative Services shall:

(1) review the methodology, data analysis, findings, and recommendations contained within the study submitted under subsection (b) of this section; and

(2) make comments or recommendations related to the study, if any, to the General Assembly in accordance with § 2–1246 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ June 1, 2013. It shall remain effective for a period of ~~1 year~~ *2 years* and 1 month and, at the end of June 30, ~~2014~~ *2015*, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 16, 2013.

Chapter 452

(Senate Bill 202)

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

FOR the purpose of exempting from the recordation tax and the State transfer tax the transfer of real property between a parent business entity and its wholly owned subsidiary or between subsidiaries wholly owned by the same parent business entity under certain circumstances; defining certain terms; providing for the application of this Act; ~~providing for the termination of this Act;~~ and generally relating to exempting certain transfers of real property between related business entities from the recordation tax and the State transfer tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–108(p) and 13–207(a)(9)
Annotated Code of Maryland
(2012 Replacement Volume)

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

Article – Tax – Property

12–108.

(p) **(1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(II) "BUSINESS ENTITY" MEANS A ~~PARTNERSHIP, LIMITED PARTNERSHIP,~~ LIMITED LIABILITY COMPANY~~,~~ OR CORPORATION.

(III) "OWNER" MEANS A ~~PARTNER,~~ MEMBER~~,~~ OR STOCKHOLDER OF A BUSINESS ENTITY.

(IV) "OWNERSHIP INTEREST" MEANS A ~~PARTNERSHIP INTEREST,~~ MEMBERSHIP INTEREST~~,~~ OR STOCK.

(2) An instrument of writing is not subject to recordation tax if the instrument of writing is:

[(1)**] (I)** a transfer of title to real property between a parent **[**corporation**] BUSINESS ENTITY** and its **WHOLLY OWNED** subsidiary **[**corporation**] BUSINESS ENTITY** or between 2 or more subsidiary **[**corporations**] BUSINESS ENTITIES** wholly owned by the same parent **[**corporation**] BUSINESS ENTITY**, if the parent **[**corporation**] BUSINESS ENTITY** is an original **[**stockholder**] OWNER** of the subsidiary **[**corporation, or subsidiary corporations**] BUSINESS ENTITY**, or became **[**a stockholder**] AN OWNER** through gift or bequest from an original **[**stockholder**] OWNER** of the subsidiary **[**corporation, or subsidiary corporations**] BUSINESS ENTITY**, for:

[(i)**] 1.** no consideration;

[(ii)**] 2.** nominal consideration; or

[(iii)**] 3.** consideration that comprises only the issuance, cancellation, or surrender of **[**stock**] THE OWNERSHIP INTERESTS** of a subsidiary **[**corporation**] BUSINESS ENTITY**;

[(2)**] (II)** an instrument of writing made pursuant to reorganizations described in § 368(a) of the Internal Revenue Code; or

[(3)**] (III)** a transfer of title to real property from a subsidiary **[**corporation**] BUSINESS ENTITY** to its parent **[**corporation**] BUSINESS ENTITY** for no consideration, nominal consideration or consideration that comprises only the issuance, cancellation, or surrender of a subsidiary's **[**stock**] OWNERSHIP INTEREST**, where the parent **[**corporation**] BUSINESS ENTITY**:

[(i)**]** **1.** previously owned the real property;

[(ii)**]** **2.** **CURRENTLY** owns the **[**stock**]** **OWNERSHIP INTEREST** of the subsidiary and has owned that **[**stock**]** **OWNERSHIP INTEREST** for a period greater than 18 months; or

[(iii)**]** **3.** acquires the **[**stock**]** **OWNERSHIP INTEREST** of a subsidiary **[**corporation**]** **BUSINESS ENTITY** which has been in existence and has owned the real property for a period of 2 years.

13–207.

(a) An instrument of writing is not subject to transfer tax to the same extent that it is not subject to recordation tax under:

(9) § 12–108(p) of this article (Transfer of corporate property between related **[**corporations**]** **BUSINESS ENTITIES**);

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013, and shall be applicable to all instruments of writing recorded on or after July 1, 2013. ~~It shall remain effective for a period of 5 years and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

Approved by the Governor, May 16, 2013.

Chapter 453

(House Bill 372)

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

FOR the purpose of exempting from the recordation tax and the State transfer tax the transfer of real property between a parent business entity and its wholly owned subsidiary or between subsidiaries wholly owned by the same parent business entity under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to exempting certain transfers of real property between related business entities from the recordation tax and the State transfer tax.

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 12–108(p) and 13–207(a)(9)
Annotated Code of Maryland
(2012 Replacement Volume)

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

Article – Tax – Property

12–108.

(p) **(1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(II) "BUSINESS ENTITY" MEANS A ~~PARTNERSHIP, LIMITED PARTNERSHIP,~~ LIMITED LIABILITY COMPANY~~,~~ OR CORPORATION.

(III) "OWNER" MEANS A ~~PARTNER,~~ MEMBER~~,~~ OR STOCKHOLDER OF A BUSINESS ENTITY.

(IV) "OWNERSHIP INTEREST" MEANS A ~~PARTNERSHIP INTEREST,~~ MEMBERSHIP INTEREST~~,~~ OR STOCK.

(2) An instrument of writing is not subject to recordation tax if the instrument of writing is:

[(1)**] (I)** a transfer of title to real property between a parent **[**corporation**] BUSINESS ENTITY** and its **WHOLLY OWNED** subsidiary **[**corporation**] BUSINESS ENTITY** or between 2 or more subsidiary **[**corporations**] BUSINESS ENTITIES** wholly owned by the same parent **[**corporation**] BUSINESS ENTITY**, if the parent **[**corporation**] BUSINESS ENTITY** is an original **[**stockholder**] OWNER** of the subsidiary **[**corporation, or subsidiary corporations**] BUSINESS ENTITY**, or became **[**a stockholder**] AN OWNER** through gift or bequest from an original **[**stockholder**] OWNER** of the subsidiary **[**corporation, or subsidiary corporations**] BUSINESS ENTITY**, for:

[(i)**] 1.** no consideration;

[(ii)**] 2.** nominal consideration; or

[(iii)**] 3.** consideration that comprises only the issuance, cancellation, or surrender of **[**stock**] THE OWNERSHIP INTERESTS** of a subsidiary **[**corporation**] BUSINESS ENTITY**;

[(2)**]** **(II)** an instrument of writing made pursuant to reorganizations described in § 368(a) of the Internal Revenue Code; or

[(3)**]** **(III)** a transfer of title to real property from a subsidiary **[**corporation**]** **BUSINESS ENTITY** to its parent **[**corporation**]** **BUSINESS ENTITY** for no consideration, nominal consideration or consideration that comprises only the issuance, cancellation, or surrender of a subsidiary's **[**stock**]** **OWNERSHIP INTEREST**, where the parent **[**corporation**]** **BUSINESS ENTITY**:

[(i)**]** **1.** previously owned the real property;

[(ii)**]** **2.** **CURRENTLY** owns the **[**stock**]** **OWNERSHIP INTEREST** of the subsidiary and has owned that **[**stock**]** **OWNERSHIP INTEREST** for a period greater than 18 months; or

[(iii)**]** **3.** acquires the **[**stock**]** **OWNERSHIP INTEREST** of a subsidiary **[**corporation**]** **BUSINESS ENTITY** which has been in existence and has owned the real property for a period of 2 years.

13–207.

(a) An instrument of writing is not subject to transfer tax to the same extent that it is not subject to recordation tax under:

(9) § 12–108(p) of this article (Transfer of corporate property between related **[**corporations**]** **BUSINESS ENTITIES**);

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013, and shall be applicable to all instruments of writing recorded on or after July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 454

(Senate Bill 280)

AN ACT concerning

Landscape Architects – License Renewal – Continuing Professional Competency Requirement

FOR the purpose of requiring the State Board of Examiners of Landscape Architects to adopt regulations to require a licensee to demonstrate continuing professional

competency by completing a certain number of hours of professional development activities as a condition of renewal of a license to practice landscape architecture; providing for the implementation of the continuing professional competency requirement on a phased–in basis; and generally relating to licenses issued by the State Board of Examiners of Landscape Architects.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 9–309
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Business Occupations and Professions

9–309.

(a) Unless a license is renewed for a 2–year term as provided in this section, the license expires on the first June 30 that comes:

(1) after the effective date of the license; and

(2) in an even–numbered year.

(b) At least 1 month before a license expires, the Board shall mail to the licensee, at the last known address of the licensee:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires;

(ii) the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii) the amount of the license fee.

(c) Before a license expires, the licensee periodically may renew it for an additional 2–year term, if the licensee:

(1) otherwise is entitled to be licensed;

(2) pays to the Board the license fee set by the Board; and

(3) submits to the Board a renewal application on the form that the Board provides.

(d) The Board shall renew the license of each licensee who meets the requirements of this section.

(e) The Secretary may determine that licenses issued under this subtitle shall expire on a staggered basis.

(F) THE BOARD SHALL ADOPT REGULATIONS:

(1) TO REQUIRE A LICENSEE TO DEMONSTRATE CONTINUING PROFESSIONAL COMPETENCY BY COMPLETING AT LEAST 24 HOURS OF PROFESSIONAL DEVELOPMENT ACTIVITIES AS A CONDITION OF RENEWAL OF A LICENSE UNDER THIS SECTION; AND

(2) IN ACCORDANCE WITH THE FOLLOWING:

(I) THE CONTINUING PROFESSIONAL COMPETENCY REQUIREMENT DOES NOT APPLY TO THE FIRST RENEWAL OF A LICENSE;

(II) IF A LICENSE EXPIRES ON OR BEFORE SEPTEMBER 30, 2015, A LICENSEE IS NOT REQUIRED TO FULFILL THE CONTINUING PROFESSIONAL COMPETENCY REQUIREMENT;

(III) IF A LICENSE EXPIRES BETWEEN OCTOBER 1, 2015, AND SEPTEMBER 30, 2016, A LICENSEE IS REQUIRED TO FULFILL 50% OF THE CONTINUING PROFESSIONAL COMPETENCY REQUIREMENT AS PROVIDED IN REGULATIONS ADOPTED BY THE BOARD UNDER THIS SUBSECTION; AND

(IV) IF A LICENSE EXPIRES ON OR AFTER OCTOBER 1, 2016, A LICENSEE IS REQUIRED TO FULFILL THE FULL CONTINUING PROFESSIONAL COMPETENCY REQUIREMENT AS PROVIDED IN REGULATIONS ADOPTED BY THE BOARD UNDER THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 455

(Senate Bill 332)

AN ACT concerning

Estates and Trusts – Special and Supplemental Needs Trusts – Regulations by State Agencies

FOR the purpose of requiring each State agency that provides public benefits to individuals of any age with disabilities to adopt certain regulations that are not more restrictive than any State ~~statutes, regulations, or common~~ law regarding trusts and that do not require disclosure of a beneficiary's personal or confidential information without the consent of the beneficiary; providing that nothing in a certain provision of law shall be interpreted to require a court order to authorize a disbursement from a special or supplemental needs trust; establishing that a certain regulation enacted by a State agency regarding pooled special needs trusts shall apply only to certain trust beneficiaries; making stylistic changes; and generally relating to special and supplemental needs trusts.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 14–115
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article – Estates and Trusts

14–115.

(a) In this section, "special needs trust" and "supplemental needs trust" include a trust funded by a trust beneficiary or by a third party.

(b) It is the policy of the State to encourage the use of a special needs trust or supplemental needs trust by an individual of any age with disabilities to preserve funds to provide for the needs of the individual not met by public benefits and to enhance quality of life.

(c) (1) Each State agency that provides public benefits to individuals **[**with disabilities of all ages**]** **OF ANY AGE WITH DISABILITIES** through means–tested programs, including the Medical Assistance Program, shall adopt regulations that **[**are**]:**

(I) ARE not more restrictive than existing federal law, regulations, or policies with regard to the treatment of a special needs trust or supplemental needs trust, including a trust defined in 42 U.S.C. § 1396p(c)(2) and (d)(4)**;**

(II) ARE NOT MORE RESTRICTIVE THAN ~~**STATE STATUTES, REGULATIONS, OR COMMON LAW REGARDING TRUSTS, INCLUDING THE REASONABLE EXERCISE OF TRUSTEE DISCRETION, GUARDIANSHIP OF THE PROPERTY, OR CONSERVATORSHIP OF AN ALLEGED DISABLED ADULT**~~ **ANY STATE LAW REGARDING TRUSTS, INCLUDING ANY STATE LAW REGARDING THE REASONABLE EXERCISE OF DISCRETION BY A TRUSTEE, GUARDIAN, OR CONSERVATOR IN THE BEST INTERESTS OF THE BENEFICIARY; AND**

(III) DO NOT REQUIRE DISCLOSURE OF A BENEFICIARY'S PERSONAL OR CONFIDENTIAL INFORMATION WITHOUT THE CONSENT OF THE BENEFICIARY.

(2) The regulations described in paragraph (1) of this subsection shall allow:

(i) An individual account in a pooled asset special needs trust to be funded without financial limit;

(ii) A fund in a special needs trust, supplemental needs trust, or pooled asset special needs trust to be used for the sole benefit of the beneficiary including, at the discretion of the trustee, distributions for food, shelter, utilities, and transportation;

(iii) An individual to establish or fund an individual account in a pooled asset special needs trust without an age limit or a transfer penalty;

(iv) An individual to fund a special needs trust or supplemental needs trust for the individual's child with disabilities without a transfer penalty and regardless of the child's age; and

(v) All legally assignable income or resources to be assigned to a special needs trust, supplemental needs trust, or pooled asset special needs trust without limit.

(3) NOTHING IN THIS SUBSECTION MAY BE INTERPRETED TO REQUIRE A COURT ORDER TO AUTHORIZE A DISBURSEMENT FROM A SPECIAL OR SUPPLEMENTAL NEEDS TRUST.

(d) (1) A determination of the Internal Revenue Service regarding the nonprofit status of an organization operating a pooled asset special needs trust shall be sufficient to satisfy the nonprofit requirement of 42 U.S.C. § 1396p(d)(4)(C).

(2) A State agency may not impose additional requirements on an organization described in paragraph (1) of this subsection for the purpose of qualifying or disqualifying the organization from offering a pooled asset special needs trust.

(E) A REGULATION ADOPTED BY A STATE AGENCY REGARDING POOLED SPECIAL NEEDS TRUSTS SHALL APPLY ONLY TO THOSE TRUST BENEFICIARIES WHO ARE STATE RESIDENTS OR WHO RECEIVE PUBLIC BENEFITS FUNDED BY THE STATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 456

(Senate Bill 334)

AN ACT concerning

Mammograms – Dense Breast Tissue – Notification

FOR the purpose of requiring, subject to a certain provision of law, certain centers that produce, develop, or interpret mammograms to provide a certain notice to certain patients under certain circumstances; authorizing the Department of Health and Mental Hygiene, under certain circumstances, to adopt certain regulations to change the content of a certain notice; ~~prohibiting a cause of action from arising from a failure to provide a certain notice;~~ providing for the application and construction of this Act; altering a certain definition; defining a certain term; and generally relating to mammograms, dense breast tissue, and notification.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–115
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – Health – General

20–115.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) "Center" means any facility that produces, develops, or interprets:

1. Screening **MAMMOGRAMS**; **OR**

2. Diagnostic mammograms**[**; or

3. Both**]**.

(ii) "Center" includes a hospital, outpatient department, medical laboratory, clinic, radiology practice, office of a health care provider, or other testing facility conducting mammography testing.

(iii) "Center" does not include a facility of the federal Department of Veterans Affairs.

(3) "DENSE BREAST TISSUE" MEANS HETEROGENEOUSLY DENSE OR EXTREMELY DENSE TISSUE AS DEFINED IN NATIONALLY RECOGNIZED GUIDELINES OR SYSTEMS FOR BREAST IMAGING REPORTING OF MAMMOGRAPHY SCREENING, INCLUDING THE BREAST IMAGING REPORTING AND DATA SYSTEM OF THE AMERICAN COLLEGE OF RADIOLOGY.

[(3)**] (4)** "Mammogram" means a radiographic image produced through mammography.

[(4)**] (5)** "Mammography testing" means the imaging of the breast with ionizing radiation.

(b) On or after July 1, 1992, a person may not perform mammography testing unless:

(1) The individual performing mammography testing is qualified under Title 14 of the Health Occupations Article; and

(2) The center where the mammography testing is performed:

(i) Is accredited or has applied for accreditation under the American College of Radiology Screening Mammography Accreditation Program; and

(ii) Has obtained a certificate of approval from the federal Food and Drug Administration as specified in the federal Mammography Quality Standards Act of 1992.

(C) (1) (I) THIS SECTION DOES NOT APPLY IF THE FEDERAL MAMMOGRAPHY QUALITY STANDARDS ACT OF 1992, OR REGULATIONS ADOPTED UNDER THE ACT, REQUIRES A NOTICE REGARDING BREAST DENSITY TO BE INCLUDED IN THE SCREENING RESULTS LETTER THAT IS SENT TO A PATIENT.

(II) THIS SECTION MAY NOT BE CONSTRUED TO:

1. REQUIRE A NOTICE REGARDING BREAST DENSITY TO BE SENT TO A PATIENT THAT IS INCONSISTENT WITH THE PROVISIONS OF THE FEDERAL MAMMOGRAPHY QUALITY STANDARDS ACT OF 1992, OR REGULATIONS ADOPTED UNDER THE ACT; OR

2. CREATE A STANDARD OF CARE, OBLIGATION, OR DUTY THAT PROVIDES A BASIS FOR A CAUSE OF ACTION ~~BEYOND THE DUTY TO PROVIDE A NOTICE AS REQUIRED BY PARAGRAPH (2) OF THIS SUBSECTION.~~

(2) ~~IF A MAMMOGRAM OF A PATIENT DEMONSTRATES DENSE BREAST TISSUE, THE CENTER WHERE THE~~ SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A CENTER WHERE MAMMOGRAPHY TESTING ~~WAS~~ IS PERFORMED SHALL ~~PROVIDE WRITTEN NOTIFICATION~~ INCLUDE IN A SCREENING RESULTS LETTER THAT IS SENT TO ~~THE~~ A PATIENT ~~THAT INCLUDES~~, AS REQUIRED BY FEDERAL LAW, THE FOLLOWING ~~STATEMENT~~ NOTICE: "~~YOUR MAMMOGRAM SHOWS THAT YOUR BREAST TISSUE IS DENSE. DENSE~~ THIS NOTICE CONTAINS THE RESULTS OF YOUR RECENT MAMMOGRAM, INCLUDING INFORMATION ABOUT BREAST DENSITY.

IF YOUR MAMMOGRAM SHOWS THAT YOUR BREAST TISSUE IS DENSE, YOU SHOULD KNOW THAT DENSE BREAST TISSUE IS ~~VERY~~ A COMMON FINDING AND IS NOT ABNORMAL, WITH ABOUT HALF OF WOMEN HAVING DENSE OR HIGHLY DENSE BREASTS. HOWEVER, DENSE BREAST TISSUE CAN MAKE IT HARDER TO FIND CANCER ON A MAMMOGRAM AND MAY ALSO BE ASSOCIATED WITH AN INCREASED RISK OF ~~BREAST~~ CANCER.

THIS INFORMATION ABOUT THE RESULT OF YOUR MAMMOGRAM IS GIVEN TO YOU TO RAISE YOUR AWARENESS AND TO INFORM YOUR CONVERSATIONS WITH YOUR PHYSICIAN. ~~USE THIS INFORMATION TO TALK TO YOUR DOCTOR ABOUT YOUR OWN RISKS FOR BREAST CANCER. AT THAT TIME, ASK YOUR DOCTOR IF MORE SCREENING TESTS MIGHT BE USEFUL, BASED ON YOUR RISK~~ TOGETHER, YOU CAN DECIDE WHICH SCREENING OPTIONS ARE RIGHT FOR YOU BASED ON YOUR MAMMOGRAM RESULTS, INDIVIDUAL RISK FACTORS, OR PHYSICAL EXAMINATION. A REPORT OF YOUR RESULTS WAS SENT TO YOUR ~~DOCTOR~~ PHYSICIAN.".

(3) IF THE DEPARTMENT FINDS SIGNIFICANT DIFFERENCES BETWEEN THE CONTENT OF THE NOTICE THAT IS REQUIRED TO BE PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION AND CURRENT MEDICAL EVIDENCE ON BREAST DENSITY, THE DEPARTMENT MAY ADOPT REGULATIONS THAT CHANGE THE CONTENT OF THE NOTICE.

~~**(4) A CAUSE OF ACTION MAY NOT ARISE FROM A FAILURE TO PROVIDE THE NOTICE THAT IS REQUIRED TO BE PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION.**~~

[(c)**] (D)** Notwithstanding any other provision of this title, the penalty for a violation of **SUBSECTION (B) OF** this section may not exceed $1,000.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 457

(House Bill 312)

AN ACT concerning

Mammograms – Dense Breast Tissue – Notification

FOR the purpose of requiring, subject to a certain provision of law, certain centers that produce, develop, or interpret mammograms to provide a certain notice to certain patients under certain circumstances; authorizing the Department of Health and Mental Hygiene, under certain circumstances, to adopt certain regulations to change the content of a certain notice; providing for the application and construction of this Act; altering a certain definition; defining a certain term; and generally relating to mammograms, dense breast tissue, and notification.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–115
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – Health – General

20–115.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) "Center" means any facility that produces, develops, or interprets:

1. Screening **MAMMOGRAMS**; **OR**

2. Diagnostic mammograms**[**; or

3. Both**]**.

(ii) "Center" includes a hospital, outpatient department, medical laboratory, clinic, radiology practice, office of a health care provider, or other testing facility conducting mammography testing.

(iii) "Center" does not include a facility of the federal Department of Veterans Affairs.

(3) "DENSE BREAST TISSUE" MEANS HETEROGENEOUSLY DENSE OR EXTREMELY DENSE TISSUE AS DEFINED IN NATIONALLY RECOGNIZED GUIDELINES OR SYSTEMS FOR BREAST IMAGING REPORTING OF MAMMOGRAPHY SCREENING, INCLUDING THE BREAST IMAGING REPORTING AND DATA SYSTEM OF THE AMERICAN COLLEGE OF RADIOLOGY.

[(3)**] (4)** "Mammogram" means a radiographic image produced through mammography.

[(4)**] (5)** "Mammography testing" means the imaging of the breast with ionizing radiation.

(b) On or after July 1, 1992, a person may not perform mammography testing unless:

(1) The individual performing mammography testing is qualified under Title 14 of the Health Occupations Article; and

(2) The center where the mammography testing is performed:

(i) Is accredited or has applied for accreditation under the American College of Radiology Screening Mammography Accreditation Program; and

(ii) Has obtained a certificate of approval from the federal Food and Drug Administration as specified in the federal Mammography Quality Standards Act of 1992.

(C) (1) (I) THIS SECTION DOES NOT APPLY IF THE FEDERAL MAMMOGRAPHY QUALITY STANDARDS ACT OF 1992, OR REGULATIONS ADOPTED UNDER THE ACT, REQUIRES A NOTICE REGARDING BREAST DENSITY TO BE INCLUDED IN THE SCREENING RESULTS LETTER THAT IS SENT TO A PATIENT.

(II) THIS SECTION MAY NOT BE CONSTRUED TO:

1. REQUIRE A NOTICE REGARDING BREAST DENSITY TO BE SENT TO A PATIENT THAT IS INCONSISTENT WITH THE PROVISIONS OF THE FEDERAL MAMMOGRAPHY QUALITY STANDARDS ACT OF 1992, OR REGULATIONS ADOPTED UNDER THE ACT; OR

2. CREATE A STANDARD OF CARE, OBLIGATION, OR DUTY THAT PROVIDES A BASIS FOR A CAUSE OF ACTION.

(2) ~~IF A MAMMOGRAM OF A PATIENT DEMONSTRATES DENSE BREAST TISSUE, THE CENTER WHERE THE~~ SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A CENTER WHERE MAMMOGRAPHY TESTING ~~WAS~~ IS PERFORMED SHALL ~~PROVIDE WRITTEN NOTIFICATION~~ INCLUDE IN A SCREENING RESULTS LETTER THAT IS SENT TO ~~THE~~ A PATIENT ~~THAT INCLUDES~~, AS REQUIRED BY FEDERAL LAW, THE FOLLOWING ~~STATEMENT~~ NOTICE: "~~YOUR MAMMOGRAM SHOWS THAT YOUR BREAST TISSUE IS DENSE. DENSE~~ THIS NOTICE CONTAINS THE RESULTS OF YOUR RECENT MAMMOGRAM, INCLUDING INFORMATION ABOUT BREAST DENSITY.

IF YOUR MAMMOGRAM SHOWS THAT YOUR BREAST TISSUE IS DENSE, YOU SHOULD KNOW THAT DENSE BREAST TISSUE IS ~~VERY~~ A COMMON FINDING AND IS NOT ABNORMAL, WITH ABOUT HALF OF WOMEN HAVING DENSE OR HIGHLY DENSE BREASTS. HOWEVER, DENSE BREAST TISSUE CAN MAKE IT HARDER TO FIND CANCER ON A MAMMOGRAM AND MAY ALSO BE ASSOCIATED WITH AN INCREASED RISK OF ~~BREAST~~ CANCER.

THIS INFORMATION ABOUT THE RESULT OF YOUR MAMMOGRAM IS GIVEN TO YOU TO RAISE YOUR AWARENESS AND TO INFORM YOUR CONVERSATIONS WITH YOUR PHYSICIAN. ~~USE THIS INFORMATION TO TALK TO YOUR DOCTOR ABOUT YOUR OWN RISKS FOR BREAST CANCER. AT THAT TIME, ASK YOUR DOCTOR IF MORE SCREENING TESTS MIGHT BE USEFUL, BASED ON YOUR RISK~~ TOGETHER, YOU CAN DECIDE WHICH SCREENING OPTIONS ARE RIGHT FOR YOU BASED ON YOUR MAMMOGRAM RESULTS, INDIVIDUAL RISK FACTORS, OR

PHYSICAL EXAMINATION. A REPORT OF YOUR RESULTS WAS SENT TO YOUR ~~DOCTOR~~ PHYSICIAN.".

(3) IF THE DEPARTMENT FINDS SIGNIFICANT DIFFERENCES BETWEEN THE CONTENT OF THE NOTICE THAT IS REQUIRED TO BE PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION AND CURRENT MEDICAL EVIDENCE ON BREAST DENSITY, THE DEPARTMENT MAY ADOPT REGULATIONS THAT CHANGE THE CONTENT OF THE NOTICE.

[(c)**] (D)** Notwithstanding any other provision of this title, the penalty for a violation of **SUBSECTION (B) OF** this section may not exceed $1,000.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 458

(Senate Bill 342)

AN ACT concerning

State Government – Access to Public Records in Electronic Formats – Termination Date

FOR the purpose of ~~extending~~ repealing the termination date for certain provisions of law related to access to public records in certain electronic formats; and generally relating to access to public records in electronic formats.

BY repealing and reenacting, with amendments,
Chapter 536 of the Acts of the General Assembly of 2011
Section 2

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

Chapter 536 of the Acts of 2011

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011. ~~It shall remain effective for a period of **[**2**] 5** years and, at the end of September 30, **[**2013**] 2016**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 459

(House Bill 70)

AN ACT concerning

State Government – Access to Public Records in Electronic Formats – Termination Date

FOR the purpose of ~~extending~~ repealing the termination date for certain provisions of law related to access to public records in certain electronic formats; and generally relating to access to public records in electronic formats.

BY repealing and reenacting, with amendments,
Chapter 536 of the Acts of the General Assembly of 2011
Section 2

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

Chapter 536 of the Acts of 2011

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011. ~~It shall remain effective for a period of **[**2**]** **5** years and, at the end of September 30, **[**2013**]** **2016**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 460

(Senate Bill 349)

AN ACT concerning

Wicomico County Liquor Act of 2013

FOR the purpose of creating in Wicomico County a refillable container license; authorizing the Board of License Commissioners to issue the license to a holder of any class of alcoholic beverages license issued by the Board except a Class C license, Class D license, Class B–Conference Center license, or Class B–Stadium license; authorizing the holder of the license to sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements; specifying the term of the license; requiring that receipts collected under the license be included in a certain calculation of average daily receipts; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that was branded by the license holder; authorizing the Board to adopt certain regulations related to the license; authorizing the holder of a Class B–Stadium license to sell certain alcoholic beverages *without meals; authorizing the holder to sell alcoholic beverages* in aluminum containers under certain circumstances; increasing the total number of days during which beer, wine, or beer and wine sampling or tasting events may be held during a period for which a certain license is in effect; repealing a certain requirement that the Board determine the time by which establishments shall cease serving alcoholic beverages on a certain date; extending the hours for which alcoholic beverages may be sold on Sundays under certain circumstances; exempting a certain holder of a refillable container license from a prohibition on refilling a certain container, under certain circumstances; making stylistic changes; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(w), 8–223, 8–412(f), 11–402(x), 11–523(c), and 12–113(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–412(a), (b), and (c)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article 2B – Alcoholic Beverages

7–101.

(w) (1) This subsection applies only in Wicomico County.

(2) (i) The Board of License Commissioners may issue a special Class C beer, beer and wine, or beer, wine and liquor license.

(ii) A special license entitles the holder to exercise any of the privileges conferred by that class of license at a bona fide entertainment event held by a fire department in the county.

[(3)**]** **(III)** An applicant for a special license shall sign and submit to the Board of License Commissioners an application in the form that the Board provides.

[(4)**]** **(IV)** The annual fee for a special license is:

[(i)**]** **1.** $400, for not more than 10 days;

[(ii)**]** **2.** $800, for at least 11 but not more than 20 days;

[(iii)**]** **3.** $1,000, for at least 21 but not more than 30 days; and

[(iv)**]** **4.** $1,100, for at least 31 but not more than 40 days.

[(5)**]** **(V)** The total number of days during which a special license may be used may not exceed 40 in a calendar year.

[(6)**]** **(VI)** A license holder shall notify the Board of License Commissioners in writing at least 7 days before each day when the license is to be used.

[(7)**]** **(VII)** The Board of License Commissioners may issue only one multiple event license to a license holder in a licensed year.

[(8)**]** **(VIII)** This subsection does not prevent a fire department from obtaining a single event special Class C license authorized elsewhere under this section.

(3) (I) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A REFILLABLE CONTAINER LICENSE TO A HOLDER OF ANY CLASS OF ALCOHOLIC BEVERAGES LICENSE ISSUED BY THE BOARD EXCEPT A CLASS C LICENSE, CLASS D LICENSE, CLASS B–CONFERENCE CENTER LICENSE, OR CLASS B–STADIUM LICENSE.

(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, A REFILLABLE CONTAINER LICENSE ENTITLES THE HOLDER TO SELL DRAFT

BEER FOR CONSUMPTION OFF THE LICENSED PREMISES IN A REFILLABLE CONTAINER WITH A CAPACITY OF NOT LESS THAN 32 OUNCES AND NOT MORE THAN 128 OUNCES.

(III) TO BE USED AS A REFILLABLE CONTAINER UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, A CONTAINER SHALL:

1. BE SEALABLE;

2. BE BRANDED WITH AN IDENTIFYING MARK OF THE LICENSE HOLDER;

3. BEAR THE FEDERAL HEALTH WARNING STATEMENT REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 16.21;

4. DISPLAY INSTRUCTIONS FOR CLEANING THE CONTAINER; AND

5. BEAR A LABEL STATING THAT:

A. CLEANING THE CONTAINER IS THE RESPONSIBILITY OF THE CONSUMER; AND

B. THE CONTENTS OF THE CONTAINER ARE PERISHABLE AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED WITHIN 48 HOURS AFTER PURCHASE.

(IV) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER LICENSE TO AN APPLICANT:

1. THE APPLICANT SHALL:

A. COMPLETE THE FORM THAT THE BOARD PROVIDES; AND

B. PAY AN ANNUAL LICENSE FEE OF $500; AND

2. AN APPLICANT WHO HOLDS A LICENSE WITHOUT AN OFF–SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE LICENSE THAT THE APPLICANT HOLDS.

(V) THE TERM OF THE REFILLABLE CONTAINER LICENSE ISSUED TO A SUCCESSFUL APPLICANT IS THE SAME AS THAT OF THE LICENSE THAT THE APPLICANT HOLDS.

(VI) RECEIPTS COLLECTED UNDER A REFILLABLE CONTAINER LICENSE ARE TO BE INCLUDED IN THE CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES UNDER A CLASS B RESTAURANT LICENSE, CLASS B HOTEL LICENSE, AND CLASS B GOLF COURSE LICENSE.

(VII) THE HOURS OF SALE FOR A REFILLABLE CONTAINER LICENSE:

1. BEGIN AT THE SAME TIME AS THOSE FOR THE LICENSE ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER LICENSE IS ISSUED; AND

2. END AT MIDNIGHT.

(VIII) A LICENSE HOLDER MAY REFILL ONLY A REFILLABLE CONTAINER THAT WAS BRANDED BY THE LICENSE HOLDER.

[(9)**](4)** The Board of License Commissioners may adopt regulations to carry out this subsection.

8–223.

(a) This section applies only in Wicomico County.

(b) The Board of License Commissioners may issue a Class B beer and light wine on–sale (stadium) license to the owner of any professional baseball team franchise, whether the franchise is a partnership or a corporation.

(c) The license authorizes the holder to sell beer and~~, if sold with **[**meals**]** FOOD,~~ light wine at the stadium:

(1) For consumption only on the licensed premises;

(2) In plastic, Styrofoam, **[**or**]** paper**, OR ALUMINUM** containers on the stadium premises, except that glass containers may be used in an enclosed dining premises in which the patrons are seated;

(3) To persons present:

(i) At the baseball game in which the licensee's team is playing; or

(ii) At other events that are held at the stadium; and

(4) During the hours and days for sale specified in § 11–523(c)(8) of this article.

(d) The annual license fee is $2,000.

(e) Except for a distributor of beer who is conducting business with the licensee for the purposes of this section, the licensee may not permit any person to carry any alcoholic beverages onto or from the licensed premises.

(f) (1) This license may be issued only for a stadium that has the average daily receipts from the sale of food for each month exceed the average daily receipts from the sale of alcoholic beverages.

(2) In calculating average daily receipts from the sale of food, an allocation of foodstuff contained in a mixed drink may not be included in average daily receipts from the sale of food.

8–412.

(a) In this section, "license" means a beer tasting (BT) license, a wine tasting (WT) license, or a beer/wine tasting (BWT) license.

(b) This section applies only in Wicomico County.

(c) (1) The Board of License Commissioners may issue a:

(i) Beer tasting (BT) license for beer tasting and sampling;

(ii) Wine tasting (WT) license for wine tasting and sampling; and

(iii) Beer/wine tasting (BWT) license for beer or wine tasting and sampling.

(2) A license may be issued only to a holder of a Class A beer and wine (off–sale) license or a Class A beer, wine and liquor (off–sale) license.

(f) (1) An individual may be served, for sampling or tasting purposes, not more than:

(i) 1 ounce of wine from each brand; or

(ii) 3 ounces of beer from each brand.

(2) A maximum of:

(i) Six bottles of wine may be open at any one time at a wine or beer and wine sampling or tasting event; or

(ii) Six containers of beer may be open at any one time at a beer or beer and wine sampling or tasting event.

(3) The total number of days during which beer, wine, or beer and wine sampling or tasting events **[**are**]** **MAY BE** held may not exceed **[**20**]** **50** in any period for which a license is in effect.

(4) A license holder shall notify the Board of License Commissioners in writing at least 5 days before a beer, wine, or beer and wine sampling or tasting event.

(5) Once opened, each bottle or container used for a beer, wine, or beer and wine sampling or tasting event shall be marked that it is to be used for that purpose only.

(6) The contents of each bottle or container may not be mixed with any other bottle or container, and all bottles and containers shall be destroyed once they are empty.

11–402.

(x) (1) This subsection applies only in Wicomico County.

(2) The Board of License Commissioners shall determine the hour at which establishments serving alcoholic beverages must cease sales on **[**New Year's Eve Day and on**]** New Year's Day morning regardless of the day of the week on which **[**December 31 and**]** January 1 **[**fall**]** **FALLS**.

11–523.

(c) The days and hours for the sale of alcoholic beverages are:

(1) For a Class B "on–sale" hotel and restaurant beer, wine and liquor license:

(i) Monday through Saturday from 10 a.m. to 2 a.m. on the following day; and

(ii) Sunday from **[**12:30 p.m.**]** **10 A.M.** to 12 midnight (and then only for consumption by patrons seated on the premises).

(2) For a Class C "on–sale" club beer, wine and liquor license:

(i) Monday through Saturday from 10 a.m. to 2 a.m. on the following day; and

(ii) Sunday from 12:30 p.m. to 12 midnight (provided that under the Sunday licenses the sale or disposal of any alcoholic beverages is permitted only for consumption by patrons seated on the premises).

(3) For a Class B hotel and restaurant beer license:

(i) On–sale:

1. Monday through Saturday from 6 a.m. to 2 a.m. the following day; and

2. Sunday from **[**12:30 p.m.**] 10 A.M.** to 12 midnight, provided that the sale of alcoholic beverages on Sunday is only permitted for consumption by patrons who are seated on the premises; and

(ii) Off–sale on any day from 6 a.m. to 12 midnight.

(4) For a Class B hotel and restaurant beer and light wine license:

(i) On–sale:

1. Monday through Saturday from 6 a.m. to 2 a.m. the following day; and

2. Sunday from **[**12:30 p.m.**] 10 A.M.** to 12 midnight, provided that the sale of alcoholic beverages on Sunday is only permitted for consumption by patrons who are seated on the premises; and

(ii) Off–sale on any day from 6 a.m. to 12 midnight.

(5) For a 6–day Class D beer and light wine license:

(i) On–sale, Monday through Saturday from 6 a.m. to 2 a.m. the following day; and

(ii) Off–sale, Monday through Saturday from 6 a.m. to 12 midnight.

(6) For a 7–day Class D beer and light wine license:

(i) On–sale:

1. Monday through Saturday from 6 a.m. to 2 a.m. the following day; and

2. Sunday from 12:30 p.m. to 12 midnight, provided that the sale of alcoholic beverages is only permitted for consumption by patrons who are seated on the premises; and

(ii) Off–sale any day from 6 a.m. to 12 midnight.

(7) For a Class **[**GC (golf course)**] B** beer, wine and liquor **(GOLF COURSE)** license:

(i) Monday through Saturday from 10 a.m. to 2 a.m. the following day; and

(ii) Sunday from **[**12:30 p.m.**] 10 A.M.** to 12 midnight.

(8) (i) For a stadium beer and light wine license, except as provided in subitem (ii) of this item:

1. Monday through Saturday from 12 noon to 9 p.m.; and

2. Sunday from 1 p.m. to 5 p.m.

(ii) During baseball games only, alcoholic beverages may not be sold:

1. After the beginning of the eighth inning; or

2. During a double header game, after the beginning of the sixth inning of the second game.

12–113.

(c) Except as provided in **[**§**] §§ 7–101(W)(3) AND** 8–203(e) of this article, no retail dealer, or agent or employee of such retail dealer shall refill any container of alcoholic beverages with any substance whatsoever after such container has once been emptied of its original contents.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 461

(House Bill 275)

AN ACT concerning

Wicomico County Liquor Act of 2013

FOR the purpose of creating in Wicomico County a refillable container license; authorizing the Board of License Commissioners to issue the license to a holder of any class of alcoholic beverages license issued by the Board except a Class C license, Class D license, Class B–Conference Center license, or Class B–Stadium license; authorizing the holder of the license to sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements; specifying the term of the license; requiring that receipts collected under the license be included in a certain calculation of average daily receipts; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that was branded by the license holder; authorizing the Board to adopt certain regulations related to the license; authorizing the holder of a Class B–Stadium license to sell certain alcoholic beverages <u>without meals; authorizing the holder to sell alcoholic beverages</u> in aluminum containers under certain circumstances; increasing the total number of days during which beer, wine, or beer and wine sampling or tasting events may be held during a period for which a certain license is in effect; repealing a certain requirement that the Board determine the time by which establishments shall cease serving alcoholic beverages on a certain date; extending the hours for which alcoholic beverages may be sold on Sundays under certain circumstances; exempting a certain holder of a refillable container license from a prohibition on refilling a certain container, under certain circumstances; making stylistic changes; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(w), 8–223, 8–412(f), 11–402(x), 11–523(c), and 12–113(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–412(a), (b), and (c)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article 2B – Alcoholic Beverages

7–101.

(w) (1) This subsection applies only in Wicomico County.

(2) (i) The Board of License Commissioners may issue a special Class C beer, beer and wine, or beer, wine and liquor license.

(ii) A special license entitles the holder to exercise any of the privileges conferred by that class of license at a bona fide entertainment event held by a fire department in the county.

[(3)**]** **(III)** An applicant for a special license shall sign and submit to the Board of License Commissioners an application in the form that the Board provides.

[(4)**]** **(IV)** The annual fee for a special license is:

[(i)**]** **1.** $400, for not more than 10 days;

[(ii)**]** **2.** $800, for at least 11 but not more than 20 days;

[(iii)**]** **3.** $1,000, for at least 21 but not more than 30 days; and

[(iv)**]** **4.** $1,100, for at least 31 but not more than 40 days.

[(5)**]** **(V)** The total number of days during which a special license may be used may not exceed 40 in a calendar year.

[(6)**]** **(VI)** A license holder shall notify the Board of License Commissioners in writing at least 7 days before each day when the license is to be used.

[(7)**]** **(VII)** The Board of License Commissioners may issue only one multiple event license to a license holder in a licensed year.

[(8)**]** **(VIII)** This subsection does not prevent a fire department from obtaining a single event special Class C license authorized elsewhere under this section.

(3) (I) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A REFILLABLE CONTAINER LICENSE TO A HOLDER OF ANY CLASS OF ALCOHOLIC

BEVERAGES LICENSE ISSUED BY THE BOARD EXCEPT A CLASS C LICENSE, CLASS D LICENSE, CLASS B–CONFERENCE CENTER LICENSE, OR CLASS B–STADIUM LICENSE.

(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, A REFILLABLE CONTAINER LICENSE ENTITLES THE HOLDER TO SELL DRAFT BEER FOR CONSUMPTION OFF THE LICENSED PREMISES IN A REFILLABLE CONTAINER WITH A CAPACITY OF NOT LESS THAN 32 OUNCES AND NOT MORE THAN 128 OUNCES.

(III) TO BE USED AS A REFILLABLE CONTAINER UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, A CONTAINER SHALL:

1. BE SEALABLE;

2. BE BRANDED WITH AN IDENTIFYING MARK OF THE LICENSE HOLDER;

3. BEAR THE FEDERAL HEALTH WARNING STATEMENT REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 16.21;

4. DISPLAY INSTRUCTIONS FOR CLEANING THE CONTAINER; AND

5. BEAR A LABEL STATING THAT:

A. CLEANING THE CONTAINER IS THE RESPONSIBILITY OF THE CONSUMER; AND

B. THE CONTENTS OF THE CONTAINER ARE PERISHABLE AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED WITHIN 48 HOURS AFTER PURCHASE.

(IV) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER LICENSE TO AN APPLICANT:

1. THE APPLICANT SHALL:

A. COMPLETE THE FORM THAT THE BOARD PROVIDES; AND

B. PAY AN ANNUAL LICENSE FEE OF $500; AND

2. AN APPLICANT WHO HOLDS A LICENSE WITHOUT AN OFF–SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE LICENSE THAT THE APPLICANT HOLDS.

(V) THE TERM OF THE REFILLABLE CONTAINER LICENSE ISSUED TO A SUCCESSFUL APPLICANT IS THE SAME AS THAT OF THE LICENSE THAT THE APPLICANT HOLDS.

(VI) RECEIPTS COLLECTED UNDER A REFILLABLE CONTAINER LICENSE ARE TO BE INCLUDED IN THE CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES UNDER A CLASS B RESTAURANT LICENSE, CLASS B HOTEL LICENSE, AND CLASS B GOLF COURSE LICENSE.

(VII) THE HOURS OF SALE FOR A REFILLABLE CONTAINER LICENSE:

1. BEGIN AT THE SAME TIME AS THOSE FOR THE LICENSE ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER LICENSE IS ISSUED; AND

2. END AT MIDNIGHT.

(VIII) A LICENSE HOLDER MAY REFILL ONLY A REFILLABLE CONTAINER THAT WAS BRANDED BY THE LICENSE HOLDER.

[(9)**] (4)** The Board of License Commissioners may adopt regulations to carry out this subsection.

8–223.

(a) This section applies only in Wicomico County.

(b) The Board of License Commissioners may issue a Class B beer and light wine on–sale (stadium) license to the owner of any professional baseball team franchise, whether the franchise is a partnership or a corporation.

(c) The license authorizes the holder to sell beer and~~, if sold with **[**meals**]** FOOD,~~ light wine at the stadium:

(1) For consumption only on the licensed premises;

(2) In plastic, Styrofoam, **[**or**]** paper**, OR ALUMINUM** containers on the stadium premises, except that glass containers may be used in an enclosed dining premises in which the patrons are seated;

(3) To persons present:

(i) At the baseball game in which the licensee's team is playing; or

(ii) At other events that are held at the stadium; and

(4) During the hours and days for sale specified in § 11–523(c)(8) of this article.

(d) The annual license fee is $2,000.

(e) Except for a distributor of beer who is conducting business with the licensee for the purposes of this section, the licensee may not permit any person to carry any alcoholic beverages onto or from the licensed premises.

(f) (1) This license may be issued only for a stadium that has the average daily receipts from the sale of food for each month exceed the average daily receipts from the sale of alcoholic beverages.

(2) In calculating average daily receipts from the sale of food, an allocation of foodstuff contained in a mixed drink may not be included in average daily receipts from the sale of food.

8–412.

(a) In this section, "license" means a beer tasting (BT) license, a wine tasting (WT) license, or a beer/wine tasting (BWT) license.

(b) This section applies only in Wicomico County.

(c) (1) The Board of License Commissioners may issue a:

(i) Beer tasting (BT) license for beer tasting and sampling;

(ii) Wine tasting (WT) license for wine tasting and sampling; and

(iii) Beer/wine tasting (BWT) license for beer or wine tasting and sampling.

(2) A license may be issued only to a holder of a Class A beer and wine (off–sale) license or a Class A beer, wine and liquor (off–sale) license.

(f) (1) An individual may be served, for sampling or tasting purposes, not more than:

(i) 1 ounce of wine from each brand; or

(ii) 3 ounces of beer from each brand.

(2) A maximum of:

(i) Six bottles of wine may be open at any one time at a wine or beer and wine sampling or tasting event; or

(ii) Six containers of beer may be open at any one time at a beer or beer and wine sampling or tasting event.

(3) The total number of days during which beer, wine, or beer and wine sampling or tasting events **[**are**]** **MAY BE** held may not exceed **[**20**]** **50** in any period for which a license is in effect.

(4) A license holder shall notify the Board of License Commissioners in writing at least 5 days before a beer, wine, or beer and wine sampling or tasting event.

(5) Once opened, each bottle or container used for a beer, wine, or beer and wine sampling or tasting event shall be marked that it is to be used for that purpose only.

(6) The contents of each bottle or container may not be mixed with any other bottle or container, and all bottles and containers shall be destroyed once they are empty.

11–402.

(x) (1) This subsection applies only in Wicomico County.

(2) The Board of License Commissioners shall determine the hour at which establishments serving alcoholic beverages must cease sales on **[**New Year's Eve Day and on**]** New Year's Day morning regardless of the day of the week on which **[**December 31 and**]** January 1 **[**fall**]** **FALLS**.

11–523.

(c) The days and hours for the sale of alcoholic beverages are:

(1) For a Class B "on–sale" hotel and restaurant beer, wine and liquor license:

(i) Monday through Saturday from 10 a.m. to 2 a.m. on the following day; and

(ii) Sunday from **[**12:30 p.m.**] 10 A.M.** to 12 midnight (and then only for consumption by patrons seated on the premises).

(2) For a Class C "on–sale" club beer, wine and liquor license:

(i) Monday through Saturday from 10 a.m. to 2 a.m. on the following day; and

(ii) Sunday from 12:30 p.m. to 12 midnight (provided that under the Sunday licenses the sale or disposal of any alcoholic beverages is permitted only for consumption by patrons seated on the premises).

(3) For a Class B hotel and restaurant beer license:

(i) On–sale:

1. Monday through Saturday from 6 a.m. to 2 a.m. the following day; and

2. Sunday from **[**12:30 p.m.**] 10 A.M.** to 12 midnight, provided that the sale of alcoholic beverages on Sunday is only permitted for consumption by patrons who are seated on the premises; and

(ii) Off–sale on any day from 6 a.m. to 12 midnight.

(4) For a Class B hotel and restaurant beer and light wine license:

(i) On–sale:

1. Monday through Saturday from 6 a.m. to 2 a.m. the following day; and

2. Sunday from **[**12:30 p.m.**] 10 A.M.** to 12 midnight, provided that the sale of alcoholic beverages on Sunday is only permitted for consumption by patrons who are seated on the premises; and

(ii) Off–sale on any day from 6 a.m. to 12 midnight.

(5) For a 6–day Class D beer and light wine license:

(i) On–sale, Monday through Saturday from 6 a.m. to 2 a.m. the following day; and

(ii) Off–sale, Monday through Saturday from 6 a.m. to 12 midnight.

(6) For a 7–day Class D beer and light wine license:

(i) On–sale:

1. Monday through Saturday from 6 a.m. to 2 a.m. the following day; and

2. Sunday from 12:30 p.m. to 12 midnight, provided that the sale of alcoholic beverages is only permitted for consumption by patrons who are seated on the premises; and

(ii) Off–sale any day from 6 a.m. to 12 midnight.

(7) For a Class **[**GC (golf course)**] B** beer, wine and liquor **(GOLF COURSE)** license:

(i) Monday through Saturday from 10 a.m. to 2 a.m. the following day; and

(ii) Sunday from **[**12:30 p.m.**] 10 A.M.** to 12 midnight.

(8) (i) For a stadium beer and light wine license, except as provided in subitem (ii) of this item:

1. Monday through Saturday from 12 noon to 9 p.m.; and

2. Sunday from 1 p.m. to 5 p.m.

(ii) During baseball games only, alcoholic beverages may not be sold:

1. After the beginning of the eighth inning; or

2. During a double header game, after the beginning of the sixth inning of the second game.

12–113.

(c) Except as provided in **[**§**] §§ 7–101(W)(3) AND** 8–203(e) of this article, no retail dealer, or agent or employee of such retail dealer shall refill any container of alcoholic beverages with any substance whatsoever after such container has once been emptied of its original contents.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 462

(Senate Bill 366)

AN ACT concerning

Baltimore City – Extinguishment or Redemption of Ground Rents

FOR the purpose of altering the scope of a certain procedure in law that authorizes Baltimore City to apply to the State Department of Assessments and Taxation in order to extinguish or redeem a ground rent on property acquired by Baltimore City under certain circumstances; altering the contents of a certain affidavit required in a certain procedure to extinguish or redeem a ground rent on property acquired by Baltimore City under certain circumstances; altering the scope of a certain procedure to authorize a landlord of abandoned or distressed property acquired by Baltimore City to collect a certain redemption amount under certain circumstances; and generally relating to ground rents in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–110
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Real Property

8–110.

(a) (1) This section does not apply to leases of property leased for business, commercial, manufacturing, mercantile, or industrial purposes or any other purpose which is not primarily residential, where the term of the lease, including all renewals provided for, does not exceed 99 years. A lease of the entire property improved or to be improved by any apartment, condominium, cooperative, or other building for multiple–family use on the property constitutes a business and not a residential purpose. The term “multiple–family use” does not apply to any duplex or single–family structure converted to a multiple–dwelling unit.

(2) Except as provided in subsection (f) of this section, this section does not apply to irredeemable leases executed before April 9, 1884.

(3) This section does not apply to leases of the ground or site upon which dwellings or mobile homes are erected or placed in a mobile home development or mobile home park.

(4) This section does not apply to an affordable housing land trust agreement executed under Title 14, Subtitle 5 of this article.

(b) (1) Except for apartment and cooperative leases, any reversion reserved in a lease for longer than 15 years is redeemable at any time, at the option of the tenant, after 30 days' notice to the landlord. Notice shall be given by certified mail, return receipt requested, and by first–class mail to the last known address of the landlord.

(2) The reversion is redeemable:

(i) For a sum equal to the annual rent reserved multiplied by:

1. 25, which is capitalization at 4 percent, if the lease was executed from April 8, 1884 to April 5, 1888, both inclusive;

2. 8.33, which is capitalization at 12 percent, if the lease was or is created after July 1, 1982; or

3. 16.66, which is capitalization at 6 percent, if the lease was created at any other time;

(ii) For a lesser sum if specified in the lease; or

(iii) For a sum to which the parties may agree at the time of redemption.

(c) If a tenant has power to redeem the reversion from a trustee or other person who does not have a power of sale, the reversion nevertheless may be redeemed in accordance with the procedures prescribed in the Maryland Rules.

(d) Notwithstanding subsection (b) of this section, any regulatory changes made by a federal agency, instrumentality, or subsidiary, including the Department of Housing and Urban Development, the Federal Housing Administration, the Government National Mortgage Association, the Federal National Mortgage Association, and the Veterans' Administration, shall be applicable to redemption of reversions of leases for longer than 15 years.

(e) (1) Before the entry of a judgment foreclosing an owner's right of redemption, a reversion in a ground rent or lease for 99 years renewable forever held on abandoned property in Baltimore City, as defined in § 14–817 of the Tax – Property Article, may be donated to Baltimore City or, at the option of Baltimore City, to an entity designated by Baltimore City.

(2) Valuation of the donation of a reversionary interest pursuant to this subsection shall be in accordance with subsection (b) of this section.

(f) (1) (i) A tenant who has given the landlord notice in accordance with subsection (b) of this section may apply to the State Department of Assessments and Taxation to redeem a ground rent as provided in this subsection.

(ii) When the Mayor and City Council of Baltimore City **[**condemns**]** **ACQUIRES** property that is subject to an irredeemable ground rent, the City shall become the tenant of the ground rent and, after giving the landlord notice in accordance with subsection (b) of this section, may apply to the State Department of Assessments and Taxation to extinguish the ground rent as provided in this subsection.

(iii) When the Mayor and City Council of Baltimore City **[**condemns**]** **ACQUIRES** abandoned or distressed property that is subject to a redeemable ground rent, the City shall become the tenant of the ground rent and, after giving the landlord notice in accordance with subsection (b) of this section, may apply to the State Department of Assessments and Taxation to redeem the ground rent as provided in this subsection.

(2) The tenant shall provide to the State Department of Assessments and Taxation:

(i) Documentation satisfactory to the Department of the lease and the notice given to the landlord; and

(ii) Payment of a $20 fee, and any expediting fee required under § 1–203 of the Corporations and Associations Article.

(3) (i) On receipt of the items stated in paragraph (2) of this subsection, the Department shall post notice on its website that application has been made to redeem or extinguish the ground rent.

(ii) The notice shall remain posted for at least 90 days.

(4) Except as provided in paragraph (5) of this subsection, no earlier than 90 days after the application has been posted as provided in paragraph (3) of this subsection, a tenant seeking to redeem a ground rent shall provide to the Department:

(i) Payment of the redemption amount and up to 3 years' back rent to the extent required under this section and § 8–111.1 of this subtitle, in a form satisfactory to the Department; and

(ii) An affidavit made by the tenant, in the form adopted by the Department, certifying that:

1. The tenant has not received a bill for ground rent due or other communication from the landlord regarding the ground rent during the 3 years immediately before the filing of the documentation required for the issuance of a redemption certificate under this subsection; or

2. The last payment for ground rent was made to the landlord identified in the affidavit and sent to the same address where the notice required under subsection (b) of this section was sent.

(5) No earlier than 90 days after the application has been posted as provided in paragraph (3) of this subsection, a tenant seeking to extinguish an irredeemable ground rent or to redeem a redeemable ground rent on abandoned or distressed property that was acquired or is being acquired by the Mayor and City Council of Baltimore **[**through condemnation**]** shall provide to the Department:

(i) Payment of up to 3 years' back rent to the extent required under this section and § 8–111.1 of this subtitle, in a form satisfactory to the Department; and

(ii) An affidavit made by the Director of the Office of Property Acquisition and Relocation in the Baltimore City Department of Housing and Community Development certifying that:

1. The property is abandoned property, as defined in § 21–17(a)(2) of the Public Local Laws of Baltimore City, or distressed property, as defined in § 21–17(a)(3) of the Public Local Laws of Baltimore City;

2. The property was acquired or is being acquired by the Mayor and City Council of Baltimore City **[**through condemnation**]**;

3. **[**A thorough title search has been conducted;

4.**]** The landlord of the property **[**cannot be located or identified**]** **HAS NOT REGISTERED THE GROUND LEASE WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION UNDER SUBTITLE 7 OF THIS TITLE**; and

[5.**] 4.** The existence of the ground rent is an impediment to redevelopment of the site.

(6) At any time, the tenant may submit to the Department notice that the tenant is no longer seeking redemption or extinguishment under this subsection.

(7) Upon receipt of the documentation, fees, and where applicable, the redemption amount and 3 years' back rent to the extent required under this section and § 8–111.1 of this subtitle, the Department shall issue to the tenant a ground rent redemption certificate or a ground rent extinguishment certificate, as appropriate.

(8) The redemption or extinguishment of the ground rent is effective to conclusively vest a fee simple title in the tenant, free and clear of any and all right, title, or interest of the landlord, any lien of a creditor of the landlord, and any person claiming by, through, or under the landlord when the tenant records the certificate in the land records of the county in which the property is located.

(9) The landlord, any creditor of the landlord, or any other person claiming by, through, or under the landlord may file a claim with the Department in order to collect all, or any portion of, where applicable, the redemption amount and 3 years' back rent to the extent required under this section and § 8–111.1 of this subtitle, without interest, by providing to the Department:

(i) Documentation satisfactory to the Department of the claimant's interest; and

(ii) Payment of a $20 fee, and any expediting fee required under § 1–203 of the Corporations and Associations Article.

(10) (i) A landlord whose ground rent has been extinguished may file a claim with the Baltimore City Director of Finance to collect an amount equal to the annual rent reserved multiplied by 16.66, which is capitalization at 6 percent, by providing to the Director:

1. Proof of payment to the landlord by the Department of back rent under paragraph (9) of this subsection; and

2. Payment of a $20 fee.

(ii) A landlord of abandoned or distressed property **[**condemned**]** **ACQUIRED** by the Mayor and City Council of Baltimore City whose ground rent has been redeemed may file a claim with the Baltimore City Director of Finance to collect the redemption amount, by providing to the Director:

1. Proof of payment to the landlord by the Department of back rent under paragraph (9) of this subsection; and

2. Payment of a $20 fee.

(11) (i) In the event of a dispute regarding the extinguishment amount as calculated under paragraph (10)(i) of this subsection, the landlord may refuse payment from the Baltimore City Director of Finance and file an appeal regarding the valuation in the Circuit Court of Baltimore City.

(ii) In an appeal, the landlord is entitled to receive the fair market value of the landlord's interest in the property at the time of the extinguishment.

(12) In the event of a dispute regarding the payment by the Department to any person of all or any portion of the collected redemption amount and up to 3 years' back rent to the extent required by this section and § 8–111.1 of this subtitle, the Department may:

(i) File an interpleader action in the circuit court of the county where the property is located; or

(ii) Reimburse the landlord from the fund established in § 1–203.3 of the Corporations and Associations Article.

(13) The Department is not liable for any sum received by the Department that exceeds the sum of:

(i) The redemption amount; and

(ii) Up to 3 years' back rent to the extent required by this section and § 8–111.1 of this subtitle.

(14) The Department shall credit all fees and funds collected under this subsection to the fund established under § 1–203.3 of the Corporations and Associations Article. Redemption and extinguishment amounts received shall be held in a ground rent redemption and ground rent extinguishment account in that fund.

(15) The Department shall maintain a list of properties for which ground rents have been redeemed or extinguished under this subsection.

(16) The Department shall adopt regulations to carry out the provisions of this subsection.

(17) Any redemption or extinguishment funds not collected by a landlord under this subsection within 20 years after the date of the payment to the Department by the tenant shall escheat to the State. The Department shall annually transfer any funds that remain uncollected after 20 years to the State General Fund at the end of each fiscal year.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 463

(Senate Bill 370)

AN ACT concerning

Garrett County – County Commissioners – Industrial Wind Energy Conversion Systems

FOR the purpose of requiring that certain industrial wind energy conversion systems comply with certain setback requirements; authorizing certain variances under certain circumstances; requiring that before a permit is issued for certain industrial wind energy conversion systems, the Garrett County Department of Planning and Land Development retain at the applicant's expense a certain professional engineer to prepare a certain cost estimate and require the applicant to post a certain bond; requiring that the bond be held as surety for certain purposes; requiring, on completion of the construction of certain industrial wind energy conversion systems and on a certain periodic basis, the Department to retain at the applicant's expense a certain professional engineer for certain purposes; authorizing the Department to alter the amount of a certain bond under certain circumstances; providing for the release of a bond under certain circumstances; authorizing the Department to require a certain owner to decommission and restore a certain pad site under certain circumstances; authorizing the use of a certain bond under certain circumstances; defining certain terms; providing that a certain rule, regulation, law, or ordinance for zoning of industrial wind energy conversion systems supersedes this Act; providing for the application of this Act; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; making this Act an emergency measure; and generally relating to wind turbines in Garrett County.

BY adding to
Article 25 – County Commissioners
Section 236G
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Local Government
Section 13–706
Annotated Code of Maryland

(As enacted by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013)

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

Article 25 – County Commissioners

236G.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "DECOMMISSIONING" MEANS THE REMOVAL AND LEGAL DISPOSAL OF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM AND ANY OTHER COMPONENTS RELATED TO THE INDUSTRIAL WIND ENERGY CONVERSION ~~SYSTEM, INCLUDING~~ SYSTEM.

(II) UNLESS THE PROPERTY OWNER SPECIFIES OTHERWISE, "DECOMMISSIONING" INCLUDES THE REMOVAL AND LEGAL DISPOSAL OF BUILDINGS, ROADS, CONCRETE, FENCING, GRAVEL, STONE, AND FOUNDATIONS TO A DEPTH OF 36 INCHES.

(3) "INDUSTRIAL WIND ENERGY CONVERSION SYSTEM" MEANS AN AGGREGATION OF PARTS, INCLUDING THE BASE, WIND TURBINE, GENERATOR, SUPPORTS, GUY WIRES, AND ACCESSORY EQUIPMENT IN A CONFIGURATION NECESSARY TO CONVERT THE POWER OF WIND INTO MECHANICAL OR ELECTRICAL ENERGY THAT IS INTENDED FOR SALE TO ENERGY PROVIDERS THROUGH THE ELECTRIC TRANSMISSION GRID.

(4) "RESTORATION OF PAD SITE" MEANS, AT THE LOCATION OF THE INDUSTRIAL WIND ENERGY CONVERSION SYSTEM:

(I) STABILIZING, GRADING, AND SEEDING DISTURBED AREAS TO GROW GROUND COVER; AND

(II) REPLACING THE EXCAVATED FOUNDATION AREAS WITH TOPSOIL THAT:

1. IS FREE OF NOXIOUS WEEDS, ROCKS, ROOT MAT, OR FOREIGN OBJECTS LARGER THAN 2 INCHES IN SIZE; AND

2. HAS PROPER SOIL NUTRIENTS TO PROVIDE AND SUSTAIN THE GROWTH OF GROUND COVER.

(5) "SETBACK DISTANCE" MEANS THE DISTANCE MEASURED FROM THE BASE OF THE TOWER OF A WIND TURBINE IN AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM TO ANY RESIDENTIAL~~, COMMERCIAL, PUBLIC, OR AGRICULTURAL~~ OR SCHOOL BUILDING IN ALL DIRECTIONS.

(6) "STRUCTURE HEIGHT" MEANS THE MEASUREMENT FROM GROUND LEVEL AT THE BASE OF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM TO THE HIGHEST POINT OF THE STRUCTURE OR THE HIGHEST POINT OF THE BLADE AT ITS GREATEST EXTENSION.

(7) "WIND TURBINE" MEANS THE TOWER, HUB, BLADES, AND NACELLE.

(B) THIS SECTION APPLIES ONLY TO GARRETT COUNTY.

(C) (1) EACH INDIVIDUAL INDUSTRIAL WIND ENERGY CONVERSION SYSTEM SHALL COMPLY WITH A MINIMUM SETBACK DISTANCE EQUAL TO NO LESS THAN TWO AND A HALF TIMES THE STRUCTURE HEIGHT.

(2) ON WRITTEN AUTHORIZATION OF ALL PROPERTY OWNERS OF ADJOINING PARCELS TO A PROPOSED WIND TURBINE IN AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM, THE APPLICANT OF THE PROPOSED INDUSTRIAL WIND ENERGY CONVERSION SYSTEM MAY SEEK A VARIANCE WITH THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT OF UP TO 50% OF THE MINIMUM SETBACK DISTANCE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(D) (1) BEFORE ~~A~~ AN OCCUPANCY PERMIT IS ISSUED FOR AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM, THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT SHALL:

(I) AT THE APPLICANT'S EXPENSE, RETAIN AN INDEPENDENT AND CERTIFIED PROFESSIONAL ENGINEER TO PREPARE A NET COST ESTIMATE FOR DECOMMISSIONING AND RESTORATION OF THE PAD SITE, LESS THE SALVAGE VALUE OF THE INDUSTRIAL WIND ENERGY CONVERSION SYSTEM; AND

(II) REQUIRE THE APPLICANT TO POST A BOND EQUAL TO 100% OF THE COST ESTIMATE DETERMINED UNDER ITEM (I) OF THIS PARAGRAPH AND ADJUSTED BY ~~A~~ AN ESTIMATED CONSTRUCTION PRICING INDEX TO ENSURE THAT COST INCREASES DURING THE FOLLOWING 5–YEAR INTERVAL WILL NOT DECREASE THE VALUE OF THE BOND.

(2) A BOND POSTED IN ACCORDANCE WITH PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE HELD BY THE GARRETT COUNTY FINANCE DEPARTMENT TO BE USED AS SURETY IN THE EVENT OF NONCOMPLIANCE WITH A REQUIREMENT UNDER THIS SECTION BY AN OWNER OF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM.

(3) (I) ON COMPLETION OF THE CONSTRUCTION OF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM, AND EVERY 10 YEARS THEREAFTER, THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT SHALL, AT THE APPLICANT'S EXPENSE, RETAIN AN INDEPENDENT CERTIFIED PROFESSIONAL ENGINEER TO PREPARE A NET COST ESTIMATE~~, WITHOUT REGARD TO SALVAGE VALUE,~~ FOR DECOMMISSIONING AND RESTORATION OF THE PAD SITE, LESS THE SALVAGE VALUE OF THE INDUSTRIAL WIND ENERGY CONVERSION SYSTEM.

(II) THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT MAY ALTER THE AMOUNT OF THE BOND DETERMINED UNDER ~~SUBPARAGRAPH (I) OF THIS PARAGRAPH~~ PARAGRAPH (1)(II) OF THIS SUBSECTION TO PROVIDE ADEQUATE SECURITY FOR THE COSTS OF DECOMMISSIONING AND RESTORATION OF THE PAD SITE.

(4) IF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM IS SOLD, THE BOND POSTED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL BE RELEASED IF THE NEW OWNER POSTS A BOND WITH THE GARRETT COUNTY FINANCE DEPARTMENT THAT:

(I) IS EQUAL TO THE AMOUNT OF THE BOND POSTED BY THE SELLER; OR

(II) IS A GREATER AMOUNT IF THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT DETERMINES THAT ADDITIONAL SECURITY IS NECESSARY TO PROVIDE FOR THE COST OF DECOMMISSIONING AND RESTORATION OF THE PAD SITE.

(5) (I) IF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM HAS NOT GENERATED ELECTRICITY FOR A CONTINUOUS PERIOD OF ~~180~~ 365 DAYS OR AN OWNER HAS ABANDONED AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM, THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT MAY REQUIRE THE OWNER TO DECOMMISSION AND RESTORE THE PAD SITE.

(II) IF THE OWNER FAILS TO COMPLY WITH THE REQUIREMENTS UNDER THIS PARAGRAPH, THE BOND SHALL BE USED BY

GARRETT COUNTY TO COVER THE COSTS OF DECOMMISSIONING AND RESTORATION OF THE PAD SITE.

(E) THIS SECTION DOES NOT APPLY TO ANY INDUSTRIAL WIND ENERGY CONVERSION SYSTEM THAT HAS SUBMITTED AN INTERCONNECTION APPLICATION TO THE PJM INTERCONNECTION QUEUE BEFORE MARCH 1, 2013.

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

Article – Local Government

13–706.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "DECOMMISSIONING" MEANS THE REMOVAL AND LEGAL DISPOSAL OF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM AND ANY OTHER COMPONENTS RELATED TO THE INDUSTRIAL WIND ENERGY CONVERSION SYSTEM.

(II) UNLESS THE PROPERTY OWNER SPECIFIES OTHERWISE, "DECOMMISSIONING" INCLUDES THE REMOVAL AND LEGAL DISPOSAL OF BUILDINGS, ROADS, CONCRETE, FENCING, GRAVEL, STONE, AND FOUNDATIONS TO A DEPTH OF 36 INCHES.

(3) "INDUSTRIAL WIND ENERGY CONVERSION SYSTEM" MEANS AN AGGREGATION OF PARTS, INCLUDING THE BASE, WIND TURBINE, GENERATOR, SUPPORTS, GUY WIRES, AND ACCESSORY EQUIPMENT IN A CONFIGURATION NECESSARY TO CONVERT THE POWER OF WIND INTO MECHANICAL OR ELECTRICAL ENERGY THAT IS INTENDED FOR SALE TO ENERGY PROVIDERS THROUGH THE ELECTRIC TRANSMISSION GRID.

(4) "RESTORATION OF PAD SITE" MEANS, AT THE LOCATION OF THE INDUSTRIAL WIND ENERGY CONVERSION SYSTEM:

(I) STABILIZING, GRADING, AND SEEDING DISTURBED AREAS TO GROW GROUND COVER; AND

(II) REPLACING THE EXCAVATED FOUNDATION AREAS WITH TOPSOIL THAT:

1. IS FREE OF NOXIOUS WEEDS, ROCKS, ROOT MAT, OR FOREIGN OBJECTS LARGER THAN 2 INCHES IN SIZE; AND

2. HAS PROPER SOIL NUTRIENTS TO PROVIDE AND SUSTAIN THE GROWTH OF GROUND COVER.

(5) "SETBACK DISTANCE" MEANS THE DISTANCE MEASURED FROM THE BASE OF THE TOWER OF A WIND TURBINE IN AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM TO ANY RESIDENTIAL OR SCHOOL BUILDING IN ALL DIRECTIONS.

(6) "STRUCTURE HEIGHT" MEANS THE MEASUREMENT FROM GROUND LEVEL AT THE BASE OF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM TO THE HIGHEST POINT OF THE STRUCTURE OR THE HIGHEST POINT OF THE BLADE AT ITS GREATEST EXTENSION.

(7) "WIND TURBINE" MEANS THE TOWER, HUB, BLADES, AND NACELLE.

(B) THIS SECTION DOES NOT APPLY TO ANY INDUSTRIAL WIND ENERGY CONVERSION SYSTEM THAT HAS SUBMITTED AN INTERCONNECTION APPLICATION TO THE PJM INTERCONNECTION QUEUE BEFORE MARCH 1, 2013.

(C) (1) IN GARRETT COUNTY, EACH INDIVIDUAL INDUSTRIAL WIND ENERGY CONVERSION SYSTEM SHALL COMPLY WITH A MINIMUM SETBACK DISTANCE EQUAL TO NO LESS THAN TWO AND ONE–HALF TIMES THE STRUCTURE HEIGHT.

(2) ON WRITTEN AUTHORIZATION OF ALL PROPERTY OWNERS OF ADJOINING PARCELS TO A PROPOSED WIND TURBINE IN AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM, THE APPLICANT OF THE PROPOSED INDUSTRIAL WIND ENERGY CONVERSION SYSTEM MAY SEEK A VARIANCE WITH THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT OF UP TO 50% OF THE MINIMUM SETBACK DISTANCE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(D) (1) BEFORE AN OCCUPANCY PERMIT IS ISSUED FOR AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM IN GARRETT COUNTY, THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT SHALL:

(I) AT THE APPLICANT'S EXPENSE, RETAIN AN INDEPENDENT AND CERTIFIED PROFESSIONAL ENGINEER TO PREPARE A NET COST ESTIMATE FOR DECOMMISSIONING AND RESTORATION OF THE PAD SITE,

LESS THE SALVAGE VALUE OF THE INDUSTRIAL WIND ENERGY CONVERSION SYSTEM; AND

(II) REQUIRE THE APPLICANT TO POST A BOND EQUAL TO 100% OF THE COST ESTIMATE DETERMINED UNDER ITEM (I) OF THIS PARAGRAPH AND ADJUSTED BY AN ESTIMATED CONSTRUCTION PRICING INDEX TO ENSURE THAT COST INCREASES DURING THE FOLLOWING 5–YEAR INTERVAL WILL NOT DECREASE THE VALUE OF THE BOND.

(2) A BOND POSTED IN ACCORDANCE WITH PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE HELD BY THE GARRETT COUNTY FINANCE DEPARTMENT TO BE USED AS SURETY IN THE EVENT OF NONCOMPLIANCE WITH A REQUIREMENT UNDER THIS SECTION BY AN OWNER OF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM.

(3) (I) ON COMPLETION OF THE CONSTRUCTION OF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM IN GARRETT COUNTY, AND EVERY 10 YEARS THEREAFTER, THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT, AT THE APPLICANT'S EXPENSE, SHALL RETAIN AN INDEPENDENT CERTIFIED PROFESSIONAL ENGINEER TO PREPARE A NET COST ESTIMATE FOR DECOMMISSIONING AND RESTORATION OF THE PAD SITE, LESS THE SALVAGE VALUE OF THE INDUSTRIAL WIND ENERGY CONVERSION SYSTEM.

(II) THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT MAY ALTER THE AMOUNT OF THE BOND DETERMINED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION TO PROVIDE ADEQUATE SECURITY FOR THE COSTS OF DECOMMISSIONING AND RESTORATION OF THE PAD SITE.

(4) IF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM IN GARRETT COUNTY IS SOLD, THE BOND POSTED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL BE RELEASED IF THE NEW OWNER POSTS A BOND WITH THE GARRETT COUNTY FINANCE DEPARTMENT THAT:

(I) IS EQUAL TO THE AMOUNT OF THE BOND POSTED BY THE SELLER; OR

(II) IS A GREATER AMOUNT IF THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT DETERMINES THAT ADDITIONAL SECURITY IS NECESSARY TO PROVIDE FOR THE COST OF DECOMMISSIONING AND RESTORATION OF THE PAD SITE.

(5) (I) IF AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM IN GARRETT COUNTY HAS NOT GENERATED ELECTRICITY FOR A CONTINUOUS PERIOD OF 365 DAYS OR AN OWNER HAS ABANDONED AN INDUSTRIAL WIND ENERGY CONVERSION SYSTEM, THE GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT MAY REQUIRE THE OWNER TO DECOMMISSION AND RESTORE THE PAD SITE.

(II) IF THE OWNER FAILS TO COMPLY WITH THE REQUIREMENTS UNDER THIS PARAGRAPH, THE BOND SHALL BE USED BY GARRETT COUNTY TO COVER THE COSTS OF DECOMMISSIONING AND RESTORATION OF THE PAD SITE.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That, if Garrett County adopts a rule, a regulation, a law, or an ordinance for zoning of industrial wind energy conversion systems, that rule, regulation, law, or ordinance supersedes this Act.

SECTION ~~3.~~ 4. AND BE IT FURTHER ENACTED, That ~~this Act shall be construed to apply only prospectively to industrial wind energy conversion systems constructed on or after the effective date of this Act and may not be applied or interpreted to have any effect on or application to any industrial wind energy conversion systems constructed before the effective date of this Act~~, notwithstanding Section 3 of this Act, Garrett County may not adopt a rule, a regulation, a law, or an ordinance for zoning of an industrial wind energy conversion system that has submitted an application to the PJM Interconnection queue before March 1, 2013.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.

SECTION ~~4.~~ 6. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and, except as provided in Section 5 of this Act, shall take effect from the date it is enacted.

Approved by the Governor, May 16, 2013.

Chapter 464

(Senate Bill 383)

AN ACT concerning

Real Property – ~~Stopping Fraud in~~ *Maryland* Mortgage Assistance Relief Services Act ~~of 2013~~

FOR the purpose of ~~requiring certain mortgage assistance relief service providers to~~ *establishing that a mortgage assistance relief service provider providing mortgage assistance relief service in connection with a dwelling in the State that does not* comply with certain provisions of federal law *is in violation of this Act*; authorizing the Attorney General or the Commissioner of Financial Regulation to seek an injunction to prohibit a violation of certain provisions of this Act; ~~making a violation of this Act an unfair or deceptive trade practice under the Maryland Consumer Protection Act and subject to certain enforcement and penalty provisions~~ *authorizing the Commissioner to enforce the provisions of this Act by exercising certain powers and requiring a violator to take certain affirmative action under certain circumstances*; authorizing the Attorney General and the State's Attorney to conduct the criminal investigation and prosecution of ~~mortgage assistance relief services~~ violations under ~~certain provisions of~~ this Act; authorizing a private right of action for a violation of ~~certain provisions of~~ this Act under certain circumstances; establishing the venue for certain ~~actions~~ *violations of this Act*; imposing certain penalties for a violation of ~~certain provisions of~~ this Act under certain circumstances; *making a violation of this Act an unfair or deceptive trade practice under the Maryland Consumer Protection Act and subject to certain enforcement and penalty provisions;* establishing that a certain *attorney* exception *in federal law* applies only to certain individuals; *altering the definition of "credit services business" for purposes of certain provisions of law regulating credit services businesses to exclude, beginning on a certain date, certain mortgage assistance relief service providers;* defining certain terms; ~~establishing that this Act supersedes certain provisions of law under certain circumstances~~ *declaring the intent of the General Assembly*; and generally relating to mortgage assistance relief services.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–1901(a) and (e)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1901(e)(3)(viii) and (ix)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY adding to
Article – Commercial Law
Section 14–1901(e)(3)(x)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY adding to
Article – Real Property
Section 7–501 through ~~7–510~~ 7–511 to be under the new subtitle "Subtitle 5. *Maryland* Mortgage Assistance Relief Services *Act*"
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Commercial Law

14–1901.

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

(e) (1) "Credit services business" means any person who, with respect to the extension of credit by others, sells, provides, or performs, or represents that such person can or will sell, provide, or perform, any of the following services in return for the payment of money or other valuable consideration:

(i) Improving a consumer's credit record, history, or rating or establishing a new credit file or record;

(ii) Obtaining an extension of credit for a consumer; or

(iii) Providing advice or assistance to a consumer with regard to either subparagraph (i) or (ii) of this paragraph.

(3) "Credit services business" does not include:

(viii) Any consumer reporting agency as defined in the federal Fair Credit Reporting Act (15 U.S.C. §§ 1681 – 1681t) or in § 14–1201(e) of this title; ***[****or****]***

*(ix) An individual licensed by the Maryland Board of Public Accountancy when the individual renders services within the course and scope of practice by the individual as a certified public accountant and does not engage in the credit services business on a regular and continuing basis****; OR***

(X) BEGINNING JULY 1, 2013, A MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER REGULATED UNDER TITLE 7, SUBTITLE 5 OF THE REAL PROPERTY ARTICLE.

Article – Real Property

SUBTITLE 5. *MARYLAND* MORTGAGE ASSISTANCE RELIEF SERVICES *ACT*.

7–501.

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

(B) "COMMISSIONER" MEANS THE COMMISSIONER OF FINANCIAL REGULATION IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.

(C) "DWELLING" HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION.

(D) "MORTGAGE ASSISTANCE RELIEF SERVICE" HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION.

(E) (1) "MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER" HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION.

(2) "MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER" INCORPORATES THE MEANINGS OF OTHER TERMS STATED IN 12 C.F.R. § 1015.2 TO THE EXTENT THOSE TERMS ARE USED TO ESTABLISH THE MEANING OF "MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER".

~~**(F) "PERSON" HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION.**~~

7–502.

~~**(A)**~~ **A MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER** ~~**WHO OFFERS**~~ ***PROVIDING*** **MORTGAGE ASSISTANCE RELIEF SERVICE IN CONNECTION WITH A DWELLING IN THE STATE** ~~**SHALL**~~ ***THAT DOES NOT*** **COMPLY WITH 12 C.F.R. §§ 1015.1 THROUGH 1015.11 AND ANY SUBSEQUENT REVISION OF THOSE REGULATIONS**~~**.**~~

~~**(B) A MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER WHO DOES NOT COMPLY WITH SUBSECTION (A) OF THIS SECTION**~~ **IS IN VIOLATION OF THIS SUBTITLE.**

7–503.

THE ATTORNEY EXEMPTIONS IN 12 C.F.R. § 1015.7 APPLY ONLY TO AN INDIVIDUAL ADMITTED TO PRACTICE LAW IN THE STATE WHO PROVIDES MORTGAGE ASSISTANCE RELIEF SERVICE AS PART OF THE INDIVIDUAL'S REGULAR PRACTICE OF LAW.

7–504.

FOR THE PURPOSE OF VENUE UNDER THIS SUBTITLE, A VIOLATION OF THIS SUBTITLE SHALL BE CONSIDERED TO HAVE BEEN COMMITTED:

(1) IN THE COUNTY IN WHICH THE DWELLING IS LOCATED FOR WHICH MORTGAGE ASSISTANCE RELIEF SERVICE IS BEING PROVIDED;

(2) IN THE COUNTY IN WHICH AN ACT WAS PERFORMED IN FURTHERANCE OF THE VIOLATION; AND

(3) IN THE COUNTY IN WHICH A PERSON ALLEGED TO HAVE VIOLATED THIS SUBTITLE HAD CONTROL OR POSSESSION OF ANY PROCEEDS OF THE VIOLATION.

7–505.

(A) THE ATTORNEY GENERAL MAY SEEK AN INJUNCTION TO PROHIBIT A PERSON WHO HAS ENGAGED OR IS ENGAGING IN A VIOLATION OF THIS SUBTITLE FROM ENGAGING OR CONTINUING TO ENGAGE IN THE VIOLATION.

(B) THE COURT MAY ENTER ANY ORDER OR JUDGMENT NECESSARY TO:

(1) PREVENT THE USE BY A PERSON OF ANY PROHIBITED PRACTICE;

(2) RESTORE TO A PERSON ANY MONEY OR REAL OR PERSONAL PROPERTY ACQUIRED FROM THE PERSON BY MEANS OF ANY PROHIBITED PRACTICE; OR

(3) APPOINT A RECEIVER IN CASE OF WILLFUL VIOLATION OF THIS SUBTITLE.

(C) IN ANY ACTION BROUGHT BY THE ATTORNEY GENERAL UNDER THIS SECTION, THE ATTORNEY GENERAL IS ENTITLED TO RECOVER THE COSTS OF THE ACTION FOR THE USE OF THE STATE.

7–506.

(A) THE COMMISSIONER MAY ENFORCE THE PROVISIONS OF THIS SUBTITLE BY EXERCISING ANY OF THE POWERS PROVIDED UNDER §§ 2–113 THROUGH 2–116 OF THE FINANCIAL INSTITUTIONS ARTICLE.

(B) (1) THE COMMISSIONER MAY SEEK AN INJUNCTION TO PROHIBIT A PERSON WHO HAS ENGAGED OR IS ENGAGING IN A VIOLATION OF THIS SUBTITLE FROM ENGAGING OR CONTINUING TO ENGAGE IN THE VIOLATION.

(2) THE COURT MAY ENTER ANY ORDER OR JUDGMENT NECESSARY TO:

(I) PREVENT THE USE BY A PERSON OF ANY PROHIBITED PRACTICE;

(II) RESTORE TO A PERSON ANY MONEY OR REAL OR PERSONAL PROPERTY ACQUIRED FROM THE PERSON BY MEANS OF ANY PROHIBITED PRACTICE; OR

(III) APPOINT A RECEIVER IN CASE OF WILLFUL VIOLATION OF THIS SUBTITLE.

(3) IN ANY ACTION BROUGHT BY THE COMMISSIONER UNDER THIS SECTION, THE COMMISSIONER IS ENTITLED TO RECOVER THE COSTS OF THE ACTION FOR THE USE OF THE STATE.

(C) THE COMMISSIONER MAY ENFORCE THE PROVISIONS OF THIS SUBTITLE BY REQUIRING A VIOLATOR TO TAKE AFFIRMATIVE ACTION TO CORRECT THE VIOLATION, INCLUDING THE RESTITUTION OF MONEY OR PROPERTY TO ANY PERSON AGGRIEVED BY THE VIOLATION.

(D) THE COMMISSIONER MAY:

(1) INVESTIGATE VIOLATIONS OF THIS SUBTITLE; AND

(2) AID ANY OTHER UNIT OF STATE GOVERNMENT THAT HAS REGULATORY JURISDICTION OVER THE BUSINESS ACTIVITIES OF THE VIOLATOR.

(E) THE COMMISSIONER MAY COOPERATE IN THE INVESTIGATION AND PROSECUTION OF ANY VIOLATION OF THIS SUBTITLE WITH ~~THE~~*:*

(1) THE* OFFICE OF THE ATTORNEY GENERAL, A STATE'S ATTORNEY, OR ANY OTHER UNIT OF LAW ENFORCEMENT~~, OR WITH THE~~ *IN THE STATE; OR

(2) ***THE*** FEDERAL TRADE COMMISSION, THE CONSUMER FINANCIAL PROTECTION BUREAU, OR THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

7–507.

(A) (1) IN ADDITION TO ANY ACTION AUTHORIZED UNDER THIS SUBTITLE AND ANY OTHER ACTION OTHERWISE AUTHORIZED BY LAW, A PERSON MAY BRING AN ACTION FOR DAMAGES INCURRED AS THE RESULT OF A VIOLATION OF THIS SUBTITLE.

(2) A PERSON MAY BRING AN ACTION FOR DAMAGES UNDER THIS SECTION:

(I) WITHOUT HAVING TO EXHAUST ADMINISTRATIVE REMEDIES UNDER THIS SUBTITLE; AND

(II) REGARDLESS OF THE STATUS OF AN ADMINISTRATIVE ACTION OR A CRIMINAL PROSECUTION, IF ANY, UNDER THIS SUBTITLE.

(B) A PERSON WHO BRINGS AN ACTION UNDER THIS SECTION AND WHO IS AWARDED DAMAGES ALSO MAY SEEK, AND THE COURT MAY AWARD, REASONABLE ATTORNEY'S FEES.

(C) IF THE COURT FINDS THAT THE DEFENDANT VIOLATED THIS SUBTITLE, THE COURT MAY AWARD DAMAGES EQUAL TO THREE TIMES THE AMOUNT OF ACTUAL DAMAGES.

7–508.

(A) THE ATTORNEY GENERAL AND THE STATE'S ATTORNEY ARE AUTHORIZED TO CONDUCT THE CRIMINAL INVESTIGATION AND PROSECUTION OF ALL CASES ALLEGING A VIOLATION OF THIS SUBTITLE.

(B) THE ATTORNEY GENERAL OR THE STATE'S ATTORNEY, AS APPROPRIATE, SHALL REPORT PROMPTLY A CONVICTION UNDER THIS SUBTITLE TO THE UNIT OF STATE GOVERNMENT THAT HAS REGULATORY JURISDICTION OVER THE BUSINESS ACTIVITIES OF THE PERSON CONVICTED.

7–509.

(A) A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO

IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING $10,000 OR BOTH.

(B) (1) A PERSON CONVICTED OF VIOLATING THIS SUBTITLE SHALL PAY RESTITUTION TO ANY PERSON DAMAGED BY THE VIOLATION.

(2) RESTITUTION SHALL BE ORDERED IN ADDITION TO A FINE OR IMPRISONMENT OR BOTH.

(C) EACH VIOLATION OF THIS SUBTITLE CONSTITUTES A SEPARATE OFFENSE AND SHALL NOT MERGE WITH ANY OTHER CRIMES SET FORTH IN THE CRIMINAL LAW ARTICLE.

(D) A PERSON WHO VIOLATES THIS SUBTITLE IS SUBJECT TO § 5–106(B) OF THE COURTS ARTICLE.

7–510.

A VIOLATION OF THIS SUBTITLE IS:

(1) AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND

(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.

7–511.

THIS SUBTITLE MAY BE CITED AS THE MARYLAND MORTGAGE ASSISTANCE RELIEF *SERVICES* ACT.

SECTION 2. AND BE IT FURTHER ENACTED, That ~~the authority of the Commissioner of Financial Regulation to regulate mortgage assistance relief services under Title 14, Subtitle 19 of the Commercial Law Article for any violation committed after the effective date of this Act is superseded by this Act~~ *it is the intent of the General Assembly, in enacting Title 7, Subtitle 5 of the Real Property Article in Section 1 of this Act, to implement in State law the consumer protections available under federal regulations governing mortgage assistance relief service providers. This Act is not intended, and may not be construed, to have any effect on the authority of the Commissioner of Financial Regulation to regulate mortgage assistance relief service providers under Title 14, Subtitle 19 of the Commercial Law Article, or on any enforcement actions, including litigation, taken under that authority as it existed and based on actions that occurred before the effective date of this Act*.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 465

(House Bill 291)

AN ACT concerning

Real Property – ~~Stopping Fraud in~~ Maryland Mortgage Assistance Relief Services Act ~~of 2013~~

FOR the purpose of ~~requiring certain mortgage assistance relief service providers to~~ establishing that a mortgage assistance relief service provider providing mortgage assistance relief service in connection with a dwelling in the State that does not comply with certain provisions of federal law is in violation of this Act; authorizing the Attorney General or the Commissioner of Financial Regulation to seek an injunction to prohibit a violation of certain provisions of this Act; authorizing the Commissioner to enforce the provisions of this Act by exercising certain powers and requiring a violator to take certain affirmative action under certain circumstances; authorizing the Attorney General and the State's Attorney to conduct the criminal investigation and prosecution of ~~mortgage assistance relief services~~ violations under ~~certain provisions of~~ this Act; authorizing a private right of action for a violation ~~of certain provisions~~ of this Act under certain circumstances; establishing the venue for certain ~~actions~~ violations of this Act; imposing certain penalties for a violation of ~~certain provisions of~~ this Act under certain circumstances; making a violation of this Act an unfair or deceptive trade practice under the Maryland Consumer Protection Act and subject to certain enforcement and penalty provisions; establishing that a certain attorney exception in federal law applies only to certain individuals; altering the definition of "credit services business" for purposes of certain provisions of law regulating credit services businesses to exclude, beginning on a certain date, certain mortgage assistance relief service providers; defining certain terms; ~~establishing that this Act supersedes certain provisions of law under certain circumstances~~ declaring the intent of the General Assembly; and generally relating to mortgage assistance relief services.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–1901(a) and (e)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1901(e)(3)(viii) and (ix)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY adding to
Article – Commercial Law
Section 14–1901(e)(3)(x)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY adding to
Article – Real Property
Section 7–501 through ~~7–510~~ 7–511 to be under the new subtitle "Subtitle 5. Maryland Mortgage Assistance Relief Services Act"
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Commercial Law

14–1901.

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

(e) (1) "Credit services business" means any person who, with respect to the extension of credit by others, sells, provides, or performs, or represents that such person can or will sell, provide, or perform, any of the following services in return for the payment of money or other valuable consideration:

(i) Improving a consumer's credit record, history, or rating or establishing a new credit file or record;

(ii) Obtaining an extension of credit for a consumer; or

(iii) Providing advice or assistance to a consumer with regard to either subparagraph (i) or (ii) of this paragraph.

(3) "Credit services business" does not include:

(viii) Any consumer reporting agency as defined in the federal Fair Credit Reporting Act (15 U.S.C. §§ 1681 – 1681t) or in § 14–1201(e) of this title; **[**or**]**

(ix) An individual licensed by the Maryland Board of Public Accountancy when the individual renders services within the course and scope of practice by the individual as a certified public accountant and does not engage in the credit services business on a regular and continuing basis**; OR**

(X) BEGINNING JULY 1, 2013, A MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER REGULATED UNDER TITLE 7, SUBTITLE 5 OF THE REAL PROPERTY ARTICLE.

Article – Real Property

SUBTITLE 5. MARYLAND MORTGAGE ASSISTANCE RELIEF SERVICES ACT.

7–501.

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

(B) "COMMISSIONER" MEANS THE COMMISSIONER OF FINANCIAL REGULATION IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.

(C) "DWELLING" HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION.

(D) "MORTGAGE ASSISTANCE RELIEF SERVICE" HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION.

(E) (1) "MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER" ~~HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION MEANS ANY PERSON THAT PROVIDES, OFFERS TO PROVIDE, OR ARRANGES FOR ANOTHER PERSON TO PROVIDE, ANY MORTGAGE ASSISTANCE RELIEF SERVICE.~~

~~(2) "MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER" DOES NOT INCLUDE:~~

~~(I) A HOLDER, OR ANY CONTRACTOR OF A HOLDER, OF A LOAN ON A DWELLING; OR~~

~~(II) A SERVICER, OR ANY CONTRACTOR OF A SERVICER, OF A LOAN ON A DWELLING~~ *HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION.*

(2) "MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER" INCORPORATES THE MEANINGS OF OTHER TERMS STATED IN 12 C.F.R. § 1015.2 TO THE EXTENT THOSE TERMS ARE USED TO ESTABLISH THE MEANING OF "MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER".

~~(F) "PERSON" HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION.~~

7–502.

~~(A)~~ A MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER ~~WHO OFFERS~~ PROVIDING MORTGAGE ASSISTANCE RELIEF SERVICE IN CONNECTION WITH A DWELLING IN THE STATE ~~SHALL~~ THAT DOES NOT COMPLY WITH 12 C.F.R. §§ 1015.1 THROUGH 1015.11 AND ANY SUBSEQUENT REVISION OF THOSE REGULATIONS~~.~~

~~(B) A MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER WHO DOES NOT COMPLY WITH SUBSECTION (A) OF THIS SECTION~~ IS IN VIOLATION OF THIS SUBTITLE.

7–503.

THE ATTORNEY EXEMPTIONS IN 12 C.F.R. § 1015.7 APPLY ONLY TO AN INDIVIDUAL ADMITTED TO PRACTICE LAW IN THE STATE WHO PROVIDES MORTGAGE ASSISTANCE RELIEF SERVICE AS PART OF THE INDIVIDUAL'S REGULAR PRACTICE OF LAW.

7–504.

FOR THE PURPOSE OF VENUE UNDER THIS SUBTITLE, A VIOLATION OF THIS SUBTITLE SHALL BE CONSIDERED TO HAVE BEEN COMMITTED:

(1) IN THE COUNTY IN WHICH THE DWELLING IS LOCATED FOR WHICH MORTGAGE ASSISTANCE RELIEF SERVICE IS BEING PROVIDED;

(2) IN THE COUNTY IN WHICH AN ACT WAS PERFORMED IN FURTHERANCE OF THE VIOLATION; AND

(3) IN THE COUNTY IN WHICH A PERSON ALLEGED TO HAVE VIOLATED THIS SUBTITLE HAD CONTROL OR POSSESSION OF ANY PROCEEDS OF THE VIOLATION.

7–505.

(A) THE ATTORNEY GENERAL MAY SEEK AN INJUNCTION TO PROHIBIT A PERSON WHO HAS ENGAGED OR IS ENGAGING IN A VIOLATION OF THIS SUBTITLE FROM ENGAGING OR CONTINUING TO ENGAGE IN THE VIOLATION.

(B) THE COURT MAY ENTER ANY ORDER OR JUDGMENT NECESSARY TO:

(1) PREVENT THE USE BY A PERSON OF ANY PROHIBITED PRACTICE;

(2) RESTORE TO A PERSON ANY MONEY OR REAL OR PERSONAL PROPERTY ACQUIRED FROM THE PERSON BY MEANS OF ANY PROHIBITED PRACTICE; OR

(3) APPOINT A RECEIVER IN CASE OF WILLFUL VIOLATION OF THIS SUBTITLE.

(C) IN ANY ACTION BROUGHT BY THE ATTORNEY GENERAL UNDER THIS SECTION, THE ATTORNEY GENERAL IS ENTITLED TO RECOVER THE COSTS OF THE ACTION FOR THE USE OF THE STATE.

7–506.

(A) THE COMMISSIONER MAY ENFORCE THE PROVISIONS OF THIS SUBTITLE BY EXERCISING ANY OF THE POWERS PROVIDED UNDER §§ 2–113 THROUGH 2–116 OF THE FINANCIAL INSTITUTIONS ARTICLE.

(B) (1) THE COMMISSIONER MAY SEEK AN INJUNCTION TO PROHIBIT A PERSON WHO HAS ENGAGED OR IS ENGAGING IN A VIOLATION OF THIS SUBTITLE FROM ENGAGING OR CONTINUING TO ENGAGE IN THE VIOLATION.

(2) THE COURT MAY ENTER ANY ORDER OR JUDGMENT NECESSARY TO:

(I) PREVENT THE USE BY A PERSON OF ANY PROHIBITED PRACTICE;

(II) RESTORE TO A PERSON ANY MONEY OR REAL OR PERSONAL PROPERTY ACQUIRED FROM THE PERSON BY MEANS OF ANY PROHIBITED PRACTICE; OR

(III) APPOINT A RECEIVER IN CASE OF WILLFUL VIOLATION OF THIS SUBTITLE.

(3) IN ANY ACTION BROUGHT BY THE COMMISSIONER UNDER THIS SECTION, THE COMMISSIONER IS ENTITLED TO RECOVER THE COSTS OF THE ACTION FOR THE USE OF THE STATE.

(C) THE COMMISSIONER MAY ENFORCE THE PROVISIONS OF THIS SUBTITLE BY REQUIRING A VIOLATOR TO TAKE AFFIRMATIVE ACTION TO CORRECT THE VIOLATION, INCLUDING THE RESTITUTION OF MONEY OR PROPERTY TO ANY PERSON AGGRIEVED BY THE VIOLATION.

(D) THE COMMISSIONER MAY:

(1) INVESTIGATE VIOLATIONS OF THIS SUBTITLE; AND

(2) AID ANY OTHER UNIT OF STATE GOVERNMENT THAT HAS REGULATORY JURISDICTION OVER THE BUSINESS ACTIVITIES OF THE VIOLATOR.

(E) THE COMMISSIONER MAY COOPERATE IN THE INVESTIGATION AND PROSECUTION OF ANY VIOLATION OF THIS SUBTITLE WITH ~~THE~~:

(1) THE OFFICE OF THE ATTORNEY GENERAL, A STATE'S ATTORNEY, OR ANY OTHER UNIT OF LAW ENFORCEMENT~~, OR WITH THE~~ IN THE STATE; OR

(2) THE FEDERAL TRADE COMMISSION, THE CONSUMER FINANCIAL PROTECTION BUREAU, OR THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

7–507.

(A) (1) IN ADDITION TO ANY ACTION AUTHORIZED UNDER THIS SUBTITLE AND ANY OTHER ACTION OTHERWISE AUTHORIZED BY LAW, A PERSON MAY BRING AN ACTION FOR DAMAGES INCURRED AS THE RESULT OF A VIOLATION OF THIS SUBTITLE.

(2) A PERSON MAY BRING AN ACTION FOR DAMAGES UNDER THIS SECTION:

(I) WITHOUT HAVING TO EXHAUST ADMINISTRATIVE REMEDIES UNDER THIS SUBTITLE; AND

(II) REGARDLESS OF THE STATUS OF AN ADMINISTRATIVE ACTION OR A CRIMINAL PROSECUTION, IF ANY, UNDER THIS SUBTITLE.

(B) A PERSON WHO BRINGS AN ACTION UNDER THIS SECTION AND WHO IS AWARDED DAMAGES ALSO MAY SEEK, AND THE COURT MAY AWARD, REASONABLE ATTORNEY'S FEES.

(C) IF THE COURT FINDS THAT THE DEFENDANT VIOLATED THIS SUBTITLE, THE COURT MAY AWARD DAMAGES EQUAL TO THREE TIMES THE AMOUNT OF ACTUAL DAMAGES.

7–508.

(A) THE ATTORNEY GENERAL AND THE STATE'S ATTORNEY ARE AUTHORIZED TO CONDUCT THE CRIMINAL INVESTIGATION AND PROSECUTION OF ALL CASES ALLEGING A VIOLATION OF THIS SUBTITLE.

(B) THE ATTORNEY GENERAL OR THE STATE'S ATTORNEY, AS APPROPRIATE, SHALL REPORT PROMPTLY A CONVICTION UNDER THIS SUBTITLE TO THE UNIT OF STATE GOVERNMENT THAT HAS REGULATORY JURISDICTION OVER THE BUSINESS ACTIVITIES OF THE PERSON CONVICTED.

7–509.

(A) A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING $10,000 OR BOTH.

(B) (1) A PERSON CONVICTED OF VIOLATING THIS SUBTITLE SHALL PAY RESTITUTION TO ANY PERSON DAMAGED BY THE VIOLATION.

(2) RESTITUTION SHALL BE ORDERED IN ADDITION TO A FINE OR IMPRISONMENT OR BOTH.

(C) EACH VIOLATION OF THIS SUBTITLE CONSTITUTES A SEPARATE OFFENSE AND SHALL NOT MERGE WITH ANY OTHER CRIMES SET FORTH IN THE CRIMINAL LAW ARTICLE.

(D) A PERSON WHO VIOLATES THIS SUBTITLE IS SUBJECT TO § 5–106(B) OF THE COURTS ARTICLE.

7–510.

<u>A VIOLATION OF THIS SUBTITLE IS:</u>

(1) AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND

(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.

7–511.

THIS SUBTITLE MAY BE CITED AS THE MARYLAND MORTGAGE ASSISTANCE RELIEF SERVICES ACT.

SECTION 2. AND BE IT FURTHER ENACTED, That ~~the authority of the Commissioner of Financial Regulation to regulate mortgage assistance relief services under Title 14, Subtitle 19 of the Commercial Law Article for any violation committed after the effective date of this Act is superseded by this Act~~ it is the intent of the General Assembly, in enacting Title 7, Subtitle 5 of the Real Property Article in Section 1 of this Act, to implement in State law the consumer protections available under federal regulations governing mortgage assistance relief service providers. This Act is not intended, and may not be construed, to have any effect on the authority of the Commissioner of Financial Regulation to regulate mortgage assistance relief service providers under Title 14, Subtitle 19 of the Commercial Law Article, or on any enforcement actions, including litigation, taken under that authority as it existed and based on actions that occurred before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 466

(Senate Bill 428)

AN ACT concerning

Carroll County – Board of Education – Nonvoting Student Representative

FOR the purpose of adding a nonvoting student representative to the Carroll County Board of Education; requiring the student representative to meet certain qualifications; specifying the term of the student representative; requiring that the student representative advise the County Board on certain matters; prohibiting the student representative from attending an executive session of the County Board unless invited to attend by an affirmative vote by a majority of the County Board; specifying that only voting members of the County Board

are subject to certain provisions; specifying that only voting members of the County Board may receive certain compensation; and generally relating to the Carroll County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–401 and 3–403
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Article – Education

3–401.

(a) The Carroll County Board consists of:

(1) Five voting members; **[**and**]**

(2) SUBJECT TO SUBSECTION (F) OF THIS SECTION, ONE NONVOTING STUDENT REPRESENTATIVE; AND

[(2)**](3)** The County Commissioners, who are nonvoting ex officio members.

(b) A candidate elected to the county board shall be a resident and registered voter of Carroll County. Any member who no longer resides in Carroll County may not continue as a member of the board.

(c) (1) **[**Members**] VOTING MEMBERS** of the Carroll County Board shall be elected as follows:

(i) Two members of the board shall be elected in the November general election of 1994 and every 4 years thereafter;

(ii) Two members of the county board shall be elected in the November general election of 1996 and every 4 years thereafter; and

(iii) One member of the county board shall be elected in the November general election of 1998 and every 4 years thereafter.

(2) **[**Members**] VOTING MEMBERS** of the county board shall be elected:

(i) At a general election as required by this section; and

(ii) On a general countywide ticket.

(d) (1) Each **VOTING** member serves for a term of 4 years beginning the first Monday in December immediately following the **VOTING** member's election and until a successor is elected and qualifies. The terms of the **VOTING** members are staggered as required for the elections to the county board in subsection (c)(1) of this section.

(2) The Governor shall appoint a new **VOTING** member to fill any vacancy on the board for the remainder of that term and until a successor is elected and qualifies.

(3) A **VOTING** member of the county board as of October 1, 1993, and any **VOTING** member appointed to fill a vacancy in an unexpired term of such member, shall hold office during his term and until a successor is elected and qualifies.

(e) (1) The State Board may remove a **VOTING** member of the county board for:

(i) Immorality;

(ii) Misconduct in office;

(iii) Incompetency; or

(iv) Willful neglect of duty.

(2) Before removing a **VOTING** member, the State Board shall send the member a copy of the charges against him and give him an opportunity within 10 days to request a hearing.

(3) If the **VOTING** member requests a hearing within the 10–day period:

(i) The State Board promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Board sends the member a notice of the hearing; and

(ii) The **VOTING** member shall have an opportunity to be heard publicly before the State Board in his own defense, in person or by counsel.

(4) A **VOTING** member removed under this subsection has the right to a de novo review of the removal by the Circuit Court for Carroll County.

(F) (1) THE STUDENT REPRESENTATIVE SHALL:

(I) BE AN ELEVENTH OR A TWELFTH GRADE STUDENT IN THE CARROLL COUNTY PUBLIC SCHOOL SYSTEM ELECTED BY THE HIGH SCHOOL STUDENTS OF THE COUNTY IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE SCHOOL SYSTEM;

(II) BE A STUDENT GOVERNMENT ASSOCIATION REPRESENTATIVE AT THE STUDENT'S HIGH SCHOOL;

(III) SERVE FOR 1 YEAR BEGINNING ON JULY 1 AFTER THE ELECTION OF THE STUDENT REPRESENTATIVE; AND

(IV) ADVISE THE COUNTY BOARD ON THE THOUGHTS AND FEELINGS OF STUDENTS IN CARROLL COUNTY PUBLIC SCHOOLS.

(2) UNLESS INVITED TO ATTEND BY AN AFFIRMATIVE VOTE OF A MAJORITY OF THE COUNTY BOARD, THE STUDENT REPRESENTATIVE MAY NOT ATTEND AN EXECUTIVE SESSION OF THE COUNTY BOARD.

3–403.

(a) The president of the county board is entitled to receive $7,500 annually as compensation and the other **VOTING** members are entitled to receive $6,500 each annually as compensation.

(b) The compensation of the president and the **VOTING** members described in subsection (a) of this section shall be paid in four equal quarterly installments.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 467

(House Bill 319)

AN ACT concerning

Carroll County – Board of Education – Nonvoting Student Representative

FOR the purpose of adding a nonvoting student representative to the Carroll County Board of Education; requiring the student representative to meet certain qualifications; specifying the term of the student representative; requiring that the student representative advise the County Board on certain matters; prohibiting the student representative from attending an executive session of the County Board unless invited to attend by an affirmative vote by a majority of the County Board; specifying that only voting members of the County Board are subject to certain provisions; specifying that only voting members of the County Board may receive certain compensation; and generally relating to the Carroll County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–401 and 3–403
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Article – Education

3–401.

(a) The Carroll County Board consists of:

(1) Five voting members; **[**and**]**

(2) SUBJECT TO SUBSECTION (F) OF THIS SECTION, ONE NONVOTING STUDENT REPRESENTATIVE; AND

[(2)**](3)** The County Commissioners, who are nonvoting ex officio members.

(b) A candidate elected to the county board shall be a resident and registered voter of Carroll County. Any member who no longer resides in Carroll County may not continue as a member of the board.

(c) (1) **[**Members**] VOTING MEMBERS** of the Carroll County Board shall be elected as follows:

(i) Two members of the board shall be elected in the November general election of 1994 and every 4 years thereafter;

(ii) Two members of the county board shall be elected in the November general election of 1996 and every 4 years thereafter; and

(iii) One member of the county board shall be elected in the November general election of 1998 and every 4 years thereafter.

(2) **[**Members**]** **VOTING MEMBERS** of the county board shall be elected:

(i) At a general election as required by this section; and

(ii) On a general countywide ticket.

(d) (1) Each **VOTING** member serves for a term of 4 years beginning the first Monday in December immediately following the **VOTING** member's election and until a successor is elected and qualifies. The terms of the **VOTING** members are staggered as required for the elections to the county board in subsection (c)(1) of this section.

(2) The Governor shall appoint a new **VOTING** member to fill any vacancy on the board for the remainder of that term and until a successor is elected and qualifies.

(3) A **VOTING** member of the county board as of October 1, 1993, and any **VOTING** member appointed to fill a vacancy in an unexpired term of such member, shall hold office during his term and until a successor is elected and qualifies.

(e) (1) The State Board may remove a **VOTING** member of the county board for:

(i) Immorality;

(ii) Misconduct in office;

(iii) Incompetency; or

(iv) Willful neglect of duty.

(2) Before removing a **VOTING** member, the State Board shall send the member a copy of the charges against him and give him an opportunity within 10 days to request a hearing.

(3) If the **VOTING** member requests a hearing within the 10–day period:

(i) The State Board promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Board sends the member a notice of the hearing; and

(ii) The **VOTING** member shall have an opportunity to be heard publicly before the State Board in his own defense, in person or by counsel.

(4) A **VOTING** member removed under this subsection has the right to a de novo review of the removal by the Circuit Court for Carroll County.

(F) (1) THE STUDENT REPRESENTATIVE SHALL:

(I) BE AN ELEVENTH OR A TWELFTH GRADE STUDENT IN THE CARROLL COUNTY PUBLIC SCHOOL SYSTEM ELECTED BY THE HIGH SCHOOL STUDENTS OF THE COUNTY IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE SCHOOL SYSTEM;

(II) BE A STUDENT GOVERNMENT ASSOCIATION REPRESENTATIVE AT THE STUDENT'S HIGH SCHOOL;

(III) SERVE FOR 1 YEAR BEGINNING ON JULY 1 AFTER THE ELECTION OF THE STUDENT REPRESENTATIVE; AND

(IV) ADVISE THE COUNTY BOARD ON THE THOUGHTS AND FEELINGS OF STUDENTS IN CARROLL COUNTY PUBLIC SCHOOLS.

(2) UNLESS INVITED TO ATTEND BY AN AFFIRMATIVE VOTE OF A MAJORITY OF THE COUNTY BOARD, THE STUDENT REPRESENTATIVE MAY NOT ATTEND AN EXECUTIVE SESSION OF THE COUNTY BOARD.

3–403.

(a) The president of the county board is entitled to receive $7,500 annually as compensation and the other **VOTING** members are entitled to receive $6,500 each annually as compensation.

(b) The compensation of the president and the **VOTING** members described in subsection (a) of this section shall be paid in four equal quarterly installments.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 468

(Senate Bill 429)

AN ACT concerning

Carroll County – Budgeting and Finance Procedures – Surplus Funds

FOR the purpose of repealing a certain requirement that budgeting and finance procedures established by the County Commissioners of Carroll County provide that certain surplus funds of the County be included as revenue for the budget for the next fiscal year; and generally relating to the budgeting and finance procedures established by the County Commissioners of Carroll County.

BY repealing
The Public Local Laws of Carroll County
Section 3–601(19)
Article 7 – Public Local Laws of Maryland
(2004 Edition and October 2011 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Carroll County
Section 3–601(20) and (21)
Article 7 – Public Local Laws of Maryland
(2004 Edition and October 2011 Supplement, as amended)

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

Article 7 – Carroll County

3–601.

The County Commissioners of Carroll County shall establish orderly procedures for budgeting and finance which shall:

[(19) provide that the surplus funds of the County, whether from unexpended appropriations or from revenue collections in excess of the revenue estimates, shall be included as a revenue for the budget for the next fiscal year. The surplus shall include:

(i) the actual surplus for the prior fiscal year less the anticipated surplus, if any, used to fund the current year's budget;

(ii) an estimate of the anticipated surplus for the current fiscal year; and

(iii) any unexpended funds from the proceeds of a bond issue, if the legislation authorizing the issuance of bonds does not provide for the utilization of unexpended funds;**]**

[(20)**] (19)** provide that the County operating or capital budget may be amended to reflect the receipt of grant funds from the State, federal government, or a nonprofit source in any fiscal year in which the grant funds are received but were not included in the current operating or capital budgets or received after the adoption of the current operating or capital budgets; and

[(21)**] (20)** provide that, notwithstanding other requirements of this section, the County Commissioners may acquire real or personal property under installment, lease–purchase, or similar long–term arrangements by appropriating funds for each year sufficient to meet the contractual obligations for that year. However, the County Commissioners may not obligate more than $5,000,000 under these arrangements at any one time.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 469

(House Bill 305)

AN ACT concerning

Carroll County – Budgeting and Finance Procedures – Surplus Funds

FOR the purpose of repealing a certain requirement that budgeting and finance procedures established by the County Commissioners of Carroll County provide that certain surplus funds of the County be included as revenue for the budget for the next fiscal year; and generally relating to the budgeting and finance procedures established by the County Commissioners of Carroll County.

BY repealing
The Public Local Laws of Carroll County
Section 3–601(19)
Article 7 – Public Local Laws of Maryland
(2004 Edition and October 2011 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Carroll County
Section 3–601(20) and (21)

Article 7 – Public Local Laws of Maryland
(2004 Edition and October 2011 Supplement, as amended)

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

Article 7 – Carroll County

3–601.

The County Commissioners of Carroll County shall establish orderly procedures for budgeting and finance which shall:

[(19) provide that the surplus funds of the County, whether from unexpended appropriations or from revenue collections in excess of the revenue estimates, shall be included as a revenue for the budget for the next fiscal year. The surplus shall include:

(i) the actual surplus for the prior fiscal year less the anticipated surplus, if any, used to fund the current year's budget;

(ii) an estimate of the anticipated surplus for the current fiscal year; and

(iii) any unexpended funds from the proceeds of a bond issue, if the legislation authorizing the issuance of bonds does not provide for the utilization of unexpended funds;**]**

[(20)**] (19)** provide that the County operating or capital budget may be amended to reflect the receipt of grant funds from the State, federal government, or a nonprofit source in any fiscal year in which the grant funds are received but were not included in the current operating or capital budgets or received after the adoption of the current operating or capital budgets; and

[(21)**] (20)** provide that, notwithstanding other requirements of this section, the County Commissioners may acquire real or personal property under installment, lease–purchase, or similar long–term arrangements by appropriating funds for each year sufficient to meet the contractual obligations for that year. However, the County Commissioners may not obligate more than $5,000,000 under these arrangements at any one time.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 470

(Senate Bill 461)

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – Accessibility

FOR the purpose of requiring the development, review, and approval of certain online courses and services to include an assessment regarding the accessibility of the online course or service to certain individuals with disabilities; authorizing the State Department of Education ~~or a county board of education~~ to contract with a third party ~~for the development of a certain assessment or a certain method by which certain online courses or services will be made available to certain individuals~~ to develop and conduct certain assessments; authorizing the State Board of Education to set certain fees for ~~the development of a certain assessment and a certain method~~ certain assessments; and generally relating to the accessibility of online courses and services to individuals with disabilities, including the blind.

BY adding to
Article – Education
Section 7–1002(b)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 7–1002(c)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–1002(c)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Article – Education

7–1002.

(b) **(3) (I) THE DEVELOPMENT, REVIEW, AND APPROVAL OF AN ONLINE COURSE OR SERVICE CONDUCTED UNDER THIS SUBSECTION SHALL INCLUDE AN ASSESSMENT REGARDING THE ACCESSIBILITY OF THE ONLINE COURSE OR SERVICE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.**

(II) THE DEPARTMENT ~~OR A COUNTY BOARD~~ MAY CONTRACT WITH A THIRD PARTY ~~FOR~~ TO:

1. ~~THE DEVELOPMENT OF THE~~ DEVELOP AN ASSESSMENT REGARDING ACCESSIBILITY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; OR

2. CONDUCT AN ASSESSMENT OF COURSE ACCESSIBILITY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT WILL DETERMINE THE APPROVAL OR DENIAL STATUS OF THE COURSE AND PROVIDE FEEDBACK TO THE COURSE PROVIDER.

~~2. IF THE ASSESSMENT DETERMINES THAT THE ONLINE COURSE OR SERVICE IS NOT ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND, THE DEVELOPMENT OF A METHOD BY WHICH THE ONLINE COURSE OR SERVICE WILL BE MADE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.~~

(c) (1) There is a Maryland Virtual Learning Opportunities Fund.

(2) The State Board may set reasonable fees for:

(i) Developing or reviewing online courses and services; **[**and**]**

(ii) Processing approvals for online courses and services**;**

(III) DEVELOPING AN ASSESSMENT REGARDING THE ACCESSIBILITY OF AN ONLINE COURSE OR SERVICE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND; AND

(IV) ~~DEVELOPING A METHOD BY WHICH~~ ASSESSING AN ONLINE COURSE ~~OR SERVICE WILL BE MADE ACCESSIBLE~~ FOR ITS ACCESSIBILITY TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 471

(House Bill 1176)

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – Accessibility

FOR the purpose of requiring the development, review, and approval of certain online courses and services to include an assessment regarding the accessibility of the online course or service to certain individuals with disabilities; authorizing the State Department of Education ~~or a county board of education~~ to contract with a third party ~~for the development of a certain assessment or a certain method by which certain online courses or services will be made available to certain individuals~~ to develop and conduct certain assessments; authorizing the State Board of Education to set certain fees for ~~the development of a certain assessment and a certain method~~ certain assessments; and generally relating to the accessibility of online courses and services to individuals with disabilities, including the blind.

BY adding to
Article – Education
Section 7–1002(b)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 7–1002(c)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–1002(c)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Article – Education

7–1002.

(b) **(3) (I) THE DEVELOPMENT, REVIEW, AND APPROVAL OF AN ONLINE COURSE OR SERVICE CONDUCTED UNDER THIS SUBSECTION SHALL INCLUDE AN ASSESSMENT REGARDING THE ACCESSIBILITY OF THE ONLINE COURSE OR SERVICE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.**

(II) THE DEPARTMENT ~~OR A COUNTY BOARD~~ MAY CONTRACT WITH A THIRD PARTY ~~FOR~~ TO:

1. ~~THE DEVELOPMENT OF THE~~ DEVELOP AN ASSESSMENT REGARDING ACCESSIBILITY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; OR

2. CONDUCT AN ASSESSMENT OF COURSE ACCESSIBILITY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT WILL DETERMINE THE APPROVAL OR DENIAL STATUS OF THE COURSE AND PROVIDE FEEDBACK TO THE COURSE PROVIDER.

~~2. IF THE ASSESSMENT DETERMINES THAT THE ONLINE COURSE OR SERVICE IS NOT ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND, THE DEVELOPMENT OF A METHOD BY WHICH THE ONLINE COURSE OR SERVICE WILL BE MADE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.~~

(c) (1) There is a Maryland Virtual Learning Opportunities Fund.

(2) The State Board may set reasonable fees for:

(i) Developing or reviewing online courses and services; **[**and**]**

(ii) Processing approvals for online courses and services**;**

(III) DEVELOPING AN ASSESSMENT REGARDING THE ACCESSIBILITY OF AN ONLINE COURSE OR SERVICE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND; AND

(IV) ~~DEVELOPING A METHOD BY WHICH~~ ASSESSING AN ONLINE COURSE ~~OR SERVICE WILL BE MADE ACCESSIBLE~~ FOR ITS ACCESSIBILITY TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 472

(Senate Bill 470)

AN ACT concerning

Employees' Pension System – Somerset County Economic Development Commission – Eligible Governmental Unit

FOR the purpose of adding the Somerset County Economic Development Commission as an eligible governmental unit in the Employees' Pension System; ~~providing that certain individuals are not subject to the reformed contributory pension benefit in the Employees' Pension System;~~ providing that certain individuals are subject to the alternate contributory pension benefit in the Employees' Pension System in the same manner as certain other individuals; ~~providing that certain individuals may become subject to the reformed contributory pension benefit in the same manner that an individual who was a member of the Employees' Pension System on a certain date and remains a member on a certain date may be subject to the reformed contributory benefit;~~ providing certain employees of the Somerset County Economic Development Commission a certain amount of additional service credit in the Employees' Pension System; ~~prohibiting certain employees of the Somerset County Economic Development Commission from receiving a certain amount of additional service credit in the Employees' Pension System;~~ and generally relating to employees of the Somerset County Economic Development Commission participating in the Employees' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section ~~23–225~~ 23–221, 31–102, 31–111, and 31–116.2
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 31–111.7
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Personnel and Pensions

~~23–225.~~

~~(a) This Part IV of this subtitle (Reformed Contributory Pension Benefit) applies to:~~

~~(1) an individual who becomes a member of the Employees' Pension System or the Teachers' Pension System on or after July 1, 2011; and~~

~~(2) except as provided in § 23–215.1 of this subtitle, a member of the Employees' Pension System or Teachers' Pension System who separated from employment on or before June 30, 2011, and subsequently becomes employed in a position eligible for membership in the Employees' Pension System or the Teachers' Pension System on or after July 1, 2011.~~

~~(b) This Part IV does not apply to an employee of a participating governmental unit participating in the Employees' Pension System that has not elected to participate in the Alternate Contributory Pension Selection under § 31–116.1 of this article or a former participating governmental unit, other than Frederick County, that has withdrawn from the Employees' Pension System.~~

~~**(C) (1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO WAS AN EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION ON JUNE 30, 2011, AND WHO REMAINS AN EMPLOYEE THROUGH THE EFFECTIVE DATE OF PARTICIPATION FOR THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION AS A PARTICIPATING GOVERNMENTAL UNIT.**~~

~~**(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THIS PART IV OF THIS SUBTITLE DOES NOT APPLY TO AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, AND AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONSIDERED SUBJECT TO THE ALTERNATE CONTRIBUTORY PENSION BENEFIT UNDER PART III OF THIS SUBTITLE.**~~

~~**(II) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SUBJECT TO THE REFORMED CONTRIBUTORY PENSION BENEFIT UNDER THIS PART IV OF THIS SUBTITLE ONLY IN THE SAME MANNER AS AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2011, AND REMAINED A MEMBER ON JULY 1, 2011, WOULD BECOME SUBJECT TO THE REFORMED CONTRIBUTORY PENSION BENEFIT UNDER THIS ARTICLE.**~~

23–221.

(a) In this section, "active member" means a member who is not separated from employment with the State or a participating employer of the State.

(b) Except as provided in subsection **[**(c)**] (D)** of this section, this part applies to an individual who on or after June 30, 2006, is:

(1) an active member of the Employees' Pension System or the Teachers' Pension System; or

(2) a member of the Teachers' Retirement System or Employees' Retirement System who is subject to Selection C (Combination Formula) as provided in § 22–221 of this article.

(c) **(1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO WAS AN EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION ON JUNE 30, 2011, AND WHO REMAINS AN EMPLOYEE THROUGH THE EFFECTIVE DATE OF PARTICIPATION FOR THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION AS A PARTICIPATING GOVERNMENTAL UNIT.**

(2) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONSIDERED SUBJECT TO THE ALTERNATE CONTRIBUTORY PENSION BENEFIT UNDER PART III OF THIS SUBTITLE IN THE SAME MANNER AS AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2011.

(D) This Part III does not apply to:

(1) an employee of a participating governmental unit participating in the Employees' Pension System that has not elected to participate in the Alternate Contributory Pension Selection under § 31–116.1 of this article or a former participating governmental unit, other than Frederick County, that has withdrawn from the Employees' Pension System; or

(2) a member of the Employees' Pension System or the Teachers' Pension System who transferred from the Employees' Retirement System or the Teachers' Retirement System after April 1, 1998.

31–102.

Subject to § 22–202(b) of this article, the governmental units that are eligible to participate in the employees' systems are:

(1) a political subdivision of the State, including:

(i) a county;

(ii) a municipal corporation; and

(iii) a special taxing area; and

(2) the following governmental units:

(i) an agency on aging, as designated by the legislative body of the agency on aging;

(ii) the Allegany County Transit Authority;

(iii) subject to § 31–104 of this subtitle, the Baltimore Metropolitan Council;

(iv) a board or commission created by an Act of the General Assembly for public purpose and not for the profit of a private person;

(v) subject to § 31–105 of this subtitle, the Canal Place Preservation and Development Authority;

(vi) the Chesapeake Bay Commission;

(vii) a cooperative library commission;

(viii) subject to § 31–103 of this subtitle, a community action agency, as designated by the legislative body of the community action agency;

(ix) a fire department that receives any of its funds from or through a county, municipal corporation, special taxing area, or other political subdivision of the State;

(x) the Health Planning Council of Appalachia;

(xi) the Howard County Economic Development Authority;

(xii) the Interstate Commission on the Potomac River Basin;

(xiii) the Lower Shore Private Industry Council, Inc.;

(xiv) the Maryland Environmental Service;

(xv) subject to § 31–106 of this subtitle, the Maryland Stadium Authority;

(xvi) a public library association or organization;

(xvii) subject to § 31–106.2 of this subtitle, the St. Mary's Nursing Center, Inc.;

(xviii) the Tri–County Council for Western Maryland, Inc.;

(xix) the Tri–County Council for Southern Maryland;

(xx) subject to § 31–107 of this subtitle, the University of Maryland Medical System Corporation;

(xxi) the Upper Potomac River Commission;

(xxii) subject to § 31–106.1 of this subtitle, the Maryland African American Museum Corporation; **[**and**]**

(xxiii) the Garrett County Office for Children, Youth and Families**; AND**

(XXIV) THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION.

31–111.

(a) Except as provided in subsection (b) of this section and §§ 31–111.1, 31–111.3, 31–111.4, 31–111.5, **[**and**]** 31–111.6**, AND 31–111.7** of this subtitle, if an employee of a participating governmental unit joins the Employees' Pension System on the effective date, the employee is entitled to service credit for employment with the participating governmental unit before the effective date.

(b) If an employee of the Baltimore Metropolitan Council elects to become a member of the Employees' Retirement System or the Employees' Pension System, the employee may not receive credit for service from July 1, 1992, to the effective date unless the employee pays to the Board of Trustees the amount of the member contributions the employee would have made during that period, plus regular interest.

31–111.7.

(A) ~~(1)~~ SUBJECT TO ~~PARAGRAPH (2)~~ SUBSECTION (B) OF THIS ~~SUBSECTION~~ SECTION, AN EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION WHO WAS AN EMPLOYEE ON JUNE 30, 2011, AND WHO REMAINS AN EMPLOYEE THROUGH THE EFFECTIVE DATE, SHALL RECEIVE ADDITIONAL SERVICE CREDIT FOR ELIGIBILITY SERVICE AND CREDITABLE SERVICE ACCRUED PRIOR TO THE EFFECTIVE DATE THAT THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION BEGAN PARTICIPATING IN THE EMPLOYEES' PENSION SYSTEM, AS CERTIFIED BY THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION.

~~(2)~~ (B) **ADDITIONAL SERVICE CREDIT UNDER ~~PARAGRAPH (1)~~ SUBSECTION (A) OF THIS ~~SUBSECTION~~ SECTION SHALL BE AWARDED ONLY FOR TIME FOR WHICH EMPLOYEE CONTRIBUTIONS WERE MADE TO THE BOARD OF TRUSTEES PRIOR TO THE EFFECTIVE DATE THAT THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION BEGAN PARTICIPATING IN THE EMPLOYEES' PENSION SYSTEM.**

~~(B) IF AN EMPLOYEE OR A FORMER EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION BECOMES A MEMBER OF THE EMPLOYEES' PENSION SYSTEM AT ANY TIME AFTER THE EFFECTIVE DATE THAT THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION BEGAN PARTICIPATING IN THE EMPLOYEES' PENSION SYSTEM, THE EMPLOYEE MAY NOT RECEIVE SERVICE CREDIT FOR EMPLOYMENT WITH THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION THAT OCCURRED BEFORE THE EFFECTIVE DATE THAT THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION BEGAN PARTICIPATING IN THE EMPLOYEES' PENSION SYSTEM.~~

31–116.2.

(a) (1) Except as provided in paragraph (2) of this subsection, this section applies to an individual who becomes an employee of a participating governmental unit on or after July 1, 2011.

(2) This section does not apply to an individual who becomes an employee of:

(i) a participating governmental unit that on July 1, 2011, is participating in the Employees' Pension System and has not elected to participate in the Alternate Contributory Pension Selection under § 31–116.1 of this article; or

(ii) a former participating governmental unit, other than Frederick County, that has withdrawn from the Employees' Pension System on or before June 30, 2011.

(b) An individual described in subsection (a) of this section is subject to the reformed contributory pension benefit under Title 23, Subtitle 2, Part IV of this article.

(C) (1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO WAS AN EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION ON JUNE 30, 2011, AND WHO REMAINS AN EMPLOYEE THROUGH THE EFFECTIVE DATE OF PARTICIPATION FOR THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION AS A PARTICIPATING GOVERNMENTAL UNIT.

(2) ~~(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, TITLE 23, SUBTITLE 2, PART IV OF THIS ARTICLE DOES NOT APPLY TO AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, AND AN~~ AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONSIDERED SUBJECT TO THE ALTERNATE CONTRIBUTORY PENSION BENEFIT UNDER TITLE 23, SUBTITLE 2, PART III OF THIS ARTICLE IN THE SAME MANNER AS AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2011.

~~(II) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SUBJECT TO THE REFORMED CONTRIBUTORY PENSION BENEFIT UNDER THIS PART IV OF THIS SUBTITLE ONLY IN THE SAME MANNER AS AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2011, AND REMAINED A MEMBER ON JULY 1, 2011, WOULD BECOME SUBJECT TO THE REFORMED CONTRIBUTORY PENSION BENEFIT UNDER THIS ARTICLE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 473

(House Bill 492)

AN ACT concerning

Employees' Pension System – Somerset County Economic Development Commission – Eligible Governmental Unit

FOR the purpose of adding the Somerset County Economic Development Commission as an eligible governmental unit in the Employees' Pension System; ~~providing that certain individuals are not subject to the reformed contributory pension benefit in the Employees' Pension System;~~ providing that certain individuals are subject to the alternate contributory pension benefit in the Employees' Pension System in the same manner as certain other individuals; ~~providing that certain individuals may become subject to the reformed contributory pension benefit in the same manner that an individual who was a member of the Employees' Pension System on a certain date and remains a member on a certain date may be subject to the reformed contributory benefit;~~ providing certain employees of the Somerset County Economic Development Commission a certain amount of additional service credit in the Employees' Pension System;

~~prohibiting certain employees of the Somerset County Economic Development Commission from receiving a certain amount of additional service credit in the Employees' Pension System;~~ and generally relating to employees of the Somerset County Economic Development Commission participating in the Employees' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section ~~23–225~~ 23–221, 31–102, 31–111, and 31–116.2
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 31–111.7
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Personnel and Pensions

~~23–225.~~

~~(a) This Part IV of this subtitle (Reformed Contributory Pension Benefit) applies to:~~

~~(1) an individual who becomes a member of the Employees' Pension System or the Teachers' Pension System on or after July 1, 2011; and~~

~~(2) except as provided in § 23–215.1 of this subtitle, a member of the Employees' Pension System or Teachers' Pension System who separated from employment on or before June 30, 2011, and subsequently becomes employed in a position eligible for membership in the Employees' Pension System or the Teachers' Pension System on or after July 1, 2011.~~

~~(b) This Part IV does not apply to an employee of a participating governmental unit participating in the Employees' Pension System that has not elected to participate in the Alternate Contributory Pension Selection under § 31–116.1 of this article or a former participating governmental unit, other than Frederick County, that has withdrawn from the Employees' Pension System.~~

~~**(C) (1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO WAS AN EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION ON JUNE 30, 2011, AND WHO REMAINS AN EMPLOYEE THROUGH THE EFFECTIVE DATE OF PARTICIPATION FOR THE SOMERSET COUNTY**~~

~~ECONOMIC DEVELOPMENT COMMISSION AS A PARTICIPATING GOVERNMENTAL UNIT.~~

~~(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THIS PART IV OF THIS SUBTITLE DOES NOT APPLY TO AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, AND AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONSIDERED SUBJECT TO THE ALTERNATE CONTRIBUTORY PENSION BENEFIT UNDER PART III OF THIS SUBTITLE.~~

~~(II) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SUBJECT TO THE REFORMED CONTRIBUTORY PENSION BENEFIT UNDER THIS PART IV OF THIS SUBTITLE ONLY IN THE SAME MANNER AS AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2011, AND REMAINED A MEMBER ON JULY 1, 2011, WOULD BECOME SUBJECT TO THE REFORMED CONTRIBUTORY PENSION BENEFIT UNDER THIS ARTICLE.~~

23–221.

(a) In this section, "active member" means a member who is not separated from employment with the State or a participating employer of the State.

(b) Except as provided in subsection **[**(c)**] (D)** of this section, this part applies to an individual who on or after June 30, 2006, is:

(1) an active member of the Employees' Pension System or the Teachers' Pension System; or

(2) a member of the Teachers' Retirement System or Employees' Retirement System who is subject to Selection C (Combination Formula) as provided in § 22–221 of this article.

(c) **(1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO WAS AN EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION ON JUNE 30, 2011, AND WHO REMAINS AN EMPLOYEE THROUGH THE EFFECTIVE DATE OF PARTICIPATION FOR THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION AS A PARTICIPATING GOVERNMENTAL UNIT.**

(2) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONSIDERED SUBJECT TO THE ALTERNATE CONTRIBUTORY PENSION BENEFIT UNDER PART III OF THIS SUBTITLE IN THE SAME MANNER AS AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2011.

(D) This Part III does not apply to:

(1) an employee of a participating governmental unit participating in the Employees' Pension System that has not elected to participate in the Alternate Contributory Pension Selection under § 31–116.1 of this article or a former participating governmental unit, other than Frederick County, that has withdrawn from the Employees' Pension System; or

(2) a member of the Employees' Pension System or the Teachers' Pension System who transferred from the Employees' Retirement System or the Teachers' Retirement System after April 1, 1998.

31–102.

Subject to § 22–202(b) of this article, the governmental units that are eligible to participate in the employees' systems are:

(1) a political subdivision of the State, including:

(i) a county;

(ii) a municipal corporation; and

(iii) a special taxing area; and

(2) the following governmental units:

(i) an agency on aging, as designated by the legislative body of the agency on aging;

(ii) the Allegany County Transit Authority;

(iii) subject to § 31–104 of this subtitle, the Baltimore Metropolitan Council;

(iv) a board or commission created by an Act of the General Assembly for public purpose and not for the profit of a private person;

(v) subject to § 31–105 of this subtitle, the Canal Place Preservation and Development Authority;

(vi) the Chesapeake Bay Commission;

(vii) a cooperative library commission;

(viii) subject to § 31–103 of this subtitle, a community action agency, as designated by the legislative body of the community action agency;

(ix) a fire department that receives any of its funds from or through a county, municipal corporation, special taxing area, or other political subdivision of the State;

(x) the Health Planning Council of Appalachia;

(xi) the Howard County Economic Development Authority;

(xii) the Interstate Commission on the Potomac River Basin;

(xiii) the Lower Shore Private Industry Council, Inc.;

(xiv) the Maryland Environmental Service;

(xv) subject to § 31–106 of this subtitle, the Maryland Stadium Authority;

(xvi) a public library association or organization;

(xvii) subject to § 31–106.2 of this subtitle, the St. Mary's Nursing Center, Inc.;

(xviii) the Tri–County Council for Western Maryland, Inc.;

(xix) the Tri–County Council for Southern Maryland;

(xx) subject to § 31–107 of this subtitle, the University of Maryland Medical System Corporation;

(xxi) the Upper Potomac River Commission;

(xxii) subject to § 31–106.1 of this subtitle, the Maryland African American Museum Corporation; **[**and**]**

(xxiii) the Garrett County Office for Children, Youth and Families**; AND**

(XXIV) THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION.

31–111.

(a) Except as provided in subsection (b) of this section and §§ 31–111.1, 31–111.3, 31–111.4, 31–111.5, **[**and**]** 31–111.6**, AND 31–111.7** of this subtitle, if an employee of a participating governmental unit joins the Employees' Pension System on the effective date, the employee is entitled to service credit for employment with the participating governmental unit before the effective date.

(b) If an employee of the Baltimore Metropolitan Council elects to become a member of the Employees' Retirement System or the Employees' Pension System, the employee may not receive credit for service from July 1, 1992, to the effective date unless the employee pays to the Board of Trustees the amount of the member contributions the employee would have made during that period, plus regular interest.

31–111.7.

(A) ~~(1)~~ SUBJECT TO ~~PARAGRAPH (2)~~ SUBSECTION (B) OF THIS ~~SUBSECTION~~ SECTION, AN EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION WHO WAS AN EMPLOYEE ON JUNE 30, 2011, AND WHO REMAINS AN EMPLOYEE THROUGH THE EFFECTIVE DATE, SHALL RECEIVE ADDITIONAL SERVICE CREDIT FOR ELIGIBILITY SERVICE AND CREDITABLE SERVICE ACCRUED PRIOR TO THE EFFECTIVE DATE THAT THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION BEGAN PARTICIPATING IN THE EMPLOYEES' PENSION SYSTEM, AS CERTIFIED BY THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION.

~~(2)~~ (B) ADDITIONAL SERVICE CREDIT UNDER ~~PARAGRAPH (1)~~ SUBSECTION (A) OF THIS ~~SUBSECTION~~ SECTION SHALL BE AWARDED ONLY FOR TIME FOR WHICH EMPLOYEE CONTRIBUTIONS WERE MADE TO THE BOARD OF TRUSTEES PRIOR TO THE EFFECTIVE DATE THAT THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION BEGAN PARTICIPATING IN THE EMPLOYEES' PENSION SYSTEM.

~~**(B) IF AN EMPLOYEE OR A FORMER EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION BECOMES A MEMBER OF THE EMPLOYEES' PENSION SYSTEM AT ANY TIME AFTER THE EFFECTIVE DATE THAT THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION BEGAN PARTICIPATING IN THE EMPLOYEES' PENSION SYSTEM, THE EMPLOYEE MAY NOT RECEIVE SERVICE CREDIT FOR EMPLOYMENT WITH THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION THAT OCCURRED BEFORE THE EFFECTIVE DATE THAT THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION BEGAN PARTICIPATING IN THE EMPLOYEES' PENSION SYSTEM.**~~

31–116.2.

(a) (1) Except as provided in paragraph (2) of this subsection, this section applies to an individual who becomes an employee of a participating governmental unit on or after July 1, 2011.

(2) This section does not apply to an individual who becomes an employee of:

(i) a participating governmental unit that on July 1, 2011, is participating in the Employees' Pension System and has not elected to participate in the Alternate Contributory Pension Selection under § 31–116.1 of this article; or

(ii) a former participating governmental unit, other than Frederick County, that has withdrawn from the Employees' Pension System on or before June 30, 2011.

(b) An individual described in subsection (a) of this section is subject to the reformed contributory pension benefit under Title 23, Subtitle 2, Part IV of this article.

(C) (1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO WAS AN EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION ON JUNE 30, 2011, AND WHO REMAINS AN EMPLOYEE THROUGH THE EFFECTIVE DATE OF PARTICIPATION FOR THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION AS A PARTICIPATING GOVERNMENTAL UNIT.

(2) ~~(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, TITLE 23, SUBTITLE 2, PART IV OF THIS ARTICLE DOES NOT APPLY TO AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, AND AN~~ AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONSIDERED SUBJECT TO THE ALTERNATE CONTRIBUTORY PENSION BENEFIT UNDER TITLE 23, SUBTITLE 2, PART III OF THIS ARTICLE IN THE SAME MANNER AS AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2011.

~~(II) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SUBJECT TO THE REFORMED CONTRIBUTORY PENSION BENEFIT UNDER THIS PART IV OF THIS SUBTITLE ONLY IN THE SAME MANNER AS AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2011, AND REMAINED A MEMBER ON JULY 1, 2011, WOULD BECOME SUBJECT TO THE REFORMED CONTRIBUTORY PENSION BENEFIT UNDER THIS ARTICLE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 474

(Senate Bill 473)

AN ACT concerning

Baltimore City – Children – Records Access

FOR the purpose of authorizing access to certain court records and police records by the ~~Office of Youth Violence Prevention in the~~ Baltimore City Health ~~Department~~ *Department's Office of Youth Violence Prevention* and the Baltimore City Mayor's Office on Criminal Justice under certain circumstances; *requiring that the Baltimore City Health Department's Office of Youth Violence Prevention and the Baltimore City Mayor's Office on Criminal Justice be liable for the unauthorized release of certain records and information; requiring the Baltimore City Health Department's Office of Youth Violence Prevention and the Baltimore City Mayor's Office on Criminal Justice to submit a certain report within a certain period of time;* requiring that certain records concerning child abuse and neglect be disclosed to the ~~Office of Youth Violence Prevention in the~~ Baltimore City Health ~~Department~~ *Department's Office of Youth Violence Prevention* under certain circumstances; requiring the Department of Juvenile Services to disclose to the ~~Office of Youth Violence Prevention in the~~ Baltimore City Health ~~Department~~ *Department's Office of Youth Violence Prevention* certain records concerning certain children under certain circumstances; requiring the Department of State Police to provide to the ~~Office of Youth Violence Prevention in the~~ Baltimore City Health ~~Department~~ *Department's Office of Youth Violence Prevention* and the Baltimore City Mayor's Office on Criminal Justice certain information concerning certain children under certain circumstances; requiring the ~~Office of Youth Violence Prevention in the~~ Baltimore City Health ~~Department~~ *Department's Office of Youth Violence Prevention* and the Baltimore City Mayor's Office on Criminal Justice to keep certain information confidential; authorizing the ~~Office of Youth Violence Prevention in the~~ Baltimore City Health ~~Department~~ *Department's Office of Youth Violence Prevention* and the Baltimore City Mayor's Office on Criminal Justice to use certain information solely for certain purposes; ~~providing that the Office of Youth Violence Prevention in the Baltimore City Department of Health and the Baltimore City Mayor's Office on Criminal Justice are liable for certain unauthorized releases;~~ providing for the termination of this Act; and generally relating to records concerning children and access by the ~~Office of Youth Violence Prevention in the~~ Baltimore City Health ~~Department~~ *Department's Office of Youth Violence Prevention* and the Baltimore City Mayor's Office on Criminal Justice.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–827(a) and 3–8A–27
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–202(b) and (c)(1)(v)
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

BY adding to
Article – Human Services
Section ~~*1–202(b–1)*~~ *1–202(f)* and 9–219(f)
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

BY adding to
Article – Public Safety
Section 2–308(d)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article – Courts and Judicial Proceedings

3–827.

(a) (1) All court records under this subtitle pertaining to a child shall be confidential and their contents may not be divulged, by subpoena or otherwise, except by order of the court on good cause shown.

(2) This subsection does not prohibit review of a court record by:

(i) Personnel of the court;

(ii) A party;

(iii) Counsel for a party;

(iv) A Court–Appointed Special Advocate for the child; **[**or**]**

(v) Authorized personnel of the Social Services Administration and local departments in order to conduct a child abuse or neglect investigation or to comply with requirements imposed under Title IV–E of the Social Security Act**; OR**

(VI) THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION*:

1. IF THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION* IS PROVIDING TREATMENT OR CARE TO A CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE;

2. IF THE RECORD CONCERNS A CHILD CONVICTED OF A CRIME OR ADJUDICATED DELINQUENT FOR AN ACT THAT CAUSED A DEATH OR NEAR FATALITY; OR

3. IF THE RECORD CONCERNS A VICTIM OF~~, OR A CHILD ADJUDICATED DELINQUENT FOR,~~ A CRIME OF VIOLENCE, AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, WHO IS A CHILD RESIDING IN BALTIMORE CITY, FOR THE PURPOSE OF DEVELOPING APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST CHILDREN IN BALTIMORE CITY~~; OR~~

~~**(VII) THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE IF THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE IS PROVIDING PROGRAMS AND SERVICES TO A CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE PROGRAMS AND SERVICES**~~.

(3) Information obtained from a court record is subject to the provisions of §§ 1–201, 1–202, 1–204, and 1–205 of the Human Services Article.

(4) (I) ~~THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE BALTIMORE CITY HEALTH DEPARTMENT SHALL KEEP CONFIDENTIAL ANY INFORMATION PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION.~~

~~(II)~~ THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION* SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A COURT RECORD ~~REVIEWED UNDER PARAGRAPH~~ *IT REVIEWS UNDER* ~~(2) OF~~ THIS SUBSECTION.

(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION REVIEWS A COURT RECORD UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL SUBMIT A REPORT TO THE COURT DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.

3–8A–27.

(a) (1) A police record concerning a child is confidential and shall be maintained separate from those of adults. Its contents may not be divulged, by subpoena or otherwise, except by order of the court upon good cause shown or as otherwise provided in § 7–303 of the Education Article.

(2) This subsection does not prohibit:

(i) Access to and confidential use of the record by the Department of Juvenile Services or in the investigation and prosecution of the child by any law enforcement agency;

(II) ACCESS TO AND CONFIDENTIAL USE OF THE RECORD BY THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION*:

1. IF THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION* IS PROVIDING TREATMENT OR CARE TO A CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE;

2. IF THE RECORD CONCERNS A CHILD CONVICTED OF A CRIME OR ADJUDICATED DELINQUENT FOR AN ACT THAT CAUSED A DEATH OR NEAR FATALITY; OR

3. IF THE RECORD CONCERNS A VICTIM OF~~, OR A CHILD ADJUDICATED DELINQUENT FOR,~~ A CRIME OF VIOLENCE, AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, WHO IS A CHILD RESIDING IN BALTIMORE CITY, FOR THE PURPOSE OF DEVELOPING APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST CHILDREN IN BALTIMORE CITY;

(III) ACCESS TO AND CONFIDENTIAL USE OF THE RECORD BY THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE IF THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE IS PROVIDING

PROGRAMS AND SERVICES TO A CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE PROGRAMS AND SERVICES AND THE DEVELOPMENT OF A COMPREHENSIVE TREATMENT PLAN;

[(ii)**] (IV)** A law enforcement agency of the State or of a political subdivision of the State, the Department of Juvenile Services, or the criminal justice information system from including in the law enforcement computer information system information about an outstanding juvenile court ordered writ of attachment, for the sole purpose of apprehending a child named in the writ; or

[(iii)**] (V)** A law enforcement agency of the State or of a political subdivision of the State from releasing to the public photographs and identifying information of a child who has escaped from a detention center for juveniles or a secure residential facility for juveniles, for the purposes of facilitating apprehension of the child and ensuring public safety.

(3) (I) THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A POLICE RECORD IT ACCESSES UNDER THIS SUBSECTION.

(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE ACCESSES A POLICE RECORD UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE COURT DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.

(b) (1) A court record pertaining to a child is confidential and its contents may not be divulged, by subpoena or otherwise, except by order of the court upon good cause shown or as provided in §§ 7–303 and 22–309 of the Education Article.

(2) This subsection does not prohibit access to and the use of the court record or fingerprints of a child described under Title 10, Subtitle 2 of the Criminal Procedure Article in a proceeding in the court involving the child, by personnel of the court, the State's Attorney, counsel for the child, a court–appointed special advocate for the child, or authorized personnel of the Department of Juvenile Services.

(3) (i) Except as provided in subparagraph (ii) of this paragraph, this subsection does not prohibit access to and confidential use of the court record or fingerprints of a child described under Title 10, Subtitle 2 of the Criminal Procedure Article by the Department of Juvenile Services or in an investigation and prosecution by a law enforcement agency.

(ii) The court record or fingerprints of a child described under §§ 10–215(a)(20) and (21), 10–216, and 10–220 of the Criminal Procedure Article may not be disclosed to:

1. A federal criminal justice agency or information center; or

2. Any law enforcement agency other than a law enforcement agency of the State or a political subdivision of the State.

(4) (i) The Department of Juvenile Services may provide access to and the confidential use of a treatment plan of a child described under Title 10, Subtitle 2 of the Criminal Procedure Article by an agency in the District of Columbia or a state agency in Virginia, if the agency:

1. Performs the same functions in the jurisdiction of the agency as described in § 9–216(a) of the Human Services Article;

2. Has a reciprocal agreement with the State that provides that the specific information to be shared by the State is the same type of information that will be shared by the agency; and

3. Has custody of the child.

(ii) A record that is shared under this paragraph may only provide information that is relevant to the supervision, care, and treatment of the child.

(iii) The Department of Juvenile Services shall be liable for an unauthorized release of a court record under this paragraph.

(iv) The Department of Juvenile Services shall adopt regulations to implement this paragraph.

(5) (i) This subsection does not prohibit access to and use of a court record by a judicial officer who is authorized under the Maryland Rules to determine a defendant's eligibility for pretrial release, counsel for the defendant, the State's Attorney, or the Maryland Division of Pretrial Detention and Services if:

1. The individual who is the subject of the court record is charged as an adult with an offense;

2. The access to and use of the court record is strictly limited for the purpose of determining the defendant's eligibility for pretrial release; and

3. The court record concerns an adjudication of delinquency that occurred within 3 years of the date the individual is charged as an adult.

(ii) The Court of Appeals may adopt rules to implement the provisions of this paragraph.

(6) (i) This subsection does not prohibit access to and confidential use of a court record by the Department of Human Resources for the purpose of claiming federal Title IV–E funds.

(ii) The Department of Human Resources shall be liable for the unauthorized release of a court record under this paragraph.

(7) THIS SUBSECTION DOES NOT PROHIBIT ACCESS TO AND CONFIDENTIAL USE OF A COURT RECORD BY THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION*:

(I) IF THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION* IS PROVIDING TREATMENT OR CARE TO A CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE;

(II) IF THE RECORD CONCERNS A CHILD CONVICTED OF A CRIME OR ADJUDICATED DELINQUENT FOR AN ACT THAT CAUSED A DEATH OR NEAR FATALITY; OR

(III) IF THE RECORD CONCERNS A VICTIM OF A CRIME OF VIOLENCE, AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, WHO IS A CHILD RESIDING IN BALTIMORE CITY, FOR THE PURPOSE OF DEVELOPING APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST CHILDREN IN BALTIMORE CITY.

(8) THIS SUBSECTION DOES NOT PROHIBIT ACCESS TO AND CONFIDENTIAL USE OF A COURT RECORD BY THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE IF THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE IS PROVIDING PROGRAMS AND SERVICES IN CONJUNCTION WITH THE BALTIMORE POLICE DEPARTMENT TO A CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE PROGRAMS AND SERVICES AND THE DEVELOPMENT OF A COMPREHENSIVE TREATMENT PLAN.

(9) (I) ~~THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE BALTIMORE CITY HEALTH DEPARTMENT SHALL KEEP CONFIDENTIAL ANY INFORMATION PROVIDED UNDER PARAGRAPH (7) OF THIS SUBSECTION.~~

~~(II)~~ THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE* SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A COURT RECORD ~~PROVIDED~~ *IT ACCESSES* UNDER ~~PARAGRAPH (7) OF~~ THIS SUBSECTION.

~~(10) (I) THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE SHALL KEEP CONFIDENTIAL ANY INFORMATION PROVIDED UNDER PARAGRAPH (8) OF THIS SUBSECTION.~~

~~(II) THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A COURT RECORD PROVIDED UNDER PARAGRAPH (8) OF THIS SUBSECTION.~~

(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE ACCESSES A COURT RECORD UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE COURT DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.

(c) The court, on its own motion or on petition, and for good cause shown, may order the court records of a child sealed, and, upon petition or on its own motion, shall order them sealed after the child has reached 21 years of age. If sealed, the court records of a child may not be opened, for any purpose, except by order of the court upon good cause shown.

(d) This section does not prohibit access to or use of any juvenile record by the Maryland Division of Parole and Probation or the Maryland Parole Commission when the Division or the Commission is carrying out any of their statutory duties either at the direction of a court of competent jurisdiction, or when the Maryland Parole Commission is carrying out any of its statutory duties, if the record concerns a charge or adjudication of delinquency.

(e) This section does not prohibit access to and use of any juvenile record by the Maryland Division of Correction when the Division is carrying out any of its statutory duties if: (1) the individual to whom the record pertains is committed to the custody of the Division; and (2) the record concerns an adjudication of delinquency.

(f) Subject to the provisions of §§ 9–219 and 9–220 of the Human Services Article, this section does not prohibit access to or use of any juvenile record for criminal justice research purposes. A record used under this subsection may not contain the name of the individual to whom the record pertains, or any other identifying information which could reveal the individual's name.

(g) This section does not prohibit a victim or victim's representative who has filed a notification request form from being notified of proceedings and events involving the defendant or child as provided in this subtitle, the Criminal Procedure Article, or the Criminal Law Article.

(h) This section does not prohibit the Department of Public Safety and Correctional Services or a supervising authority, as defined in § 11–701 of the Criminal Procedure Article, from accessing or using the part of a juvenile record that identifies an offense committed by a juvenile for purposes of complying with Title 11, Subtitle 7 of the Criminal Procedure Article.

Article – Human Services

1–202.

(b) A report or record concerning child abuse or neglect shall be disclosed:

(1) under a court order;

(2) under an order of an administrative law judge, if:

(i) the request for disclosure concerns a case pending before the Office of Administrative Hearings; and

(ii) provisions are made to comply with other State or federal confidentiality laws and to protect the identity of the reporter or other person whose life or safety is likely to be endangered by the disclosure; **[**or**]**

(3) to the Division of Parole and Probation in the Department of Public Safety and Correctional Services if, as a result of a report or investigation of suspected child abuse or neglect, the local department of social services has reason to believe that an individual who lives in or has a regular presence in a child's home is registered under Title 11, Subtitle 7 of the Criminal Procedure Article based on the commission of an offense against a child**; OR**

(4) ON A WRITTEN REQUEST, TO THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *~~DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION~~*:

(I) IF THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION* IS PROVIDING TREATMENT OR CARE TO A CHILD WHO IS THE SUBJECT OF A REPORT OF CHILD ABUSE OR NEGLECT, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE;

(II) IF THE RECORD OR REPORT CONCERNS A CHILD CONVICTED OF A CRIME OR ADJUDICATED DELINQUENT FOR AN ACT THAT CAUSED A DEATH OR NEAR FATALITY; OR

(III) IF THE RECORD OR REPORT CONCERNS A VICTIM OF A CRIME OF VIOLENCE, AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, WHO IS A CHILD RESIDING IN BALTIMORE CITY, FOR THE PURPOSE OF DEVELOPING APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST CHILDREN IN BALTIMORE CITY.

~~(B–1) (1) THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE BALTIMORE CITY HEALTH DEPARTMENT SHALL KEEP CONFIDENTIAL ANY INFORMATION PROVIDED UNDER SUBSECTION (B)(4) OF THIS SECTION.~~

~~(2) THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE BALTIMORE CITY HEALTH DEPARTMENT SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A REPORT OR RECORD PROVIDED UNDER SUBSECTION (B)(4) OF THIS SECTION.~~

(c) A report or record concerning child abuse or neglect:

(1) may be disclosed on request to:

(v) **SUBJECT TO THE PROVISIONS OF SUBSECTION (B)(4) OF THIS SECTION,** a licensed practitioner who, or an agency, institution, or program that, is providing treatment or care to a child who is the subject of a report of child abuse or neglect for a purpose relevant to the treatment or care;

(F) (1) THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A REPORT OR RECORD UNDER SUBSECTION (B) OF THIS SECTION.

(2) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION RECEIVES A REPORT OR RECORD UNDER SUBSECTION (B) OF THIS SECTION, THE BALTIMORE CITY HEALTH DEPARTMENT SHALL SUBMIT A REPORT TO THE DEPARTMENT OF HUMAN RESOURCES DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.

9–219.

(F) (1) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, THE DEPARTMENT SHALL DISCLOSE TO THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION*, ON A WRITTEN REQUEST:

(I) A CONFIDENTIAL RESEARCH RECORD CONCERNING A CHILD TO WHOM THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION* IS PROVIDING TREATMENT OR CARE, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE;

(II) A CONFIDENTIAL RESEARCH RECORD CONCERNING A CHILD CONVICTED OF A CRIME OR ADJUDICATED DELINQUENT FOR AN ACT THAT CAUSED A DEATH OR NEAR FATALITY; OR

(III) A CONFIDENTIAL RESEARCH RECORD CONCERNING A VICTIM OF A CRIME OF VIOLENCE, AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, WHO IS A CHILD RESIDING IN BALTIMORE CITY, FOR THE PURPOSE OF DEVELOPING APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST CHILDREN IN BALTIMORE CITY.

(2) (I) THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION* SHALL KEEP CONFIDENTIAL ANY INFORMATION PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(II) THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION* SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF ~~A RECORD~~ *INFORMATION* PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION RECEIVES A CONFIDENTIAL RESEARCH RECORD UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL SUBMIT A REPORT TO THE DEPARTMENT DETAILING THE PURPOSES FOR WHICH THE CONFIDENTIAL RECORD WAS USED.

Article – Public Safety

2–308.

(D) (1) THE DEPARTMENT SHALL PROVIDE TO THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION* AND THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE, ON A WRITTEN REQUEST, INFORMATION CONCERNING:

(I) A VICTIM OF A CRIME OF VIOLENCE, AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, WHO IS A CHILD RESIDING IN BALTIMORE CITY; AND

(II) A CHILD CONVICTED OF A CRIME OR ADJUDICATED DELINQUENT FOR AN ACT THAT CAUSED A DEATH OR NEAR FATALITY.

(2) THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION*:

(I) SHALL KEEP CONFIDENTIAL ANY INFORMATION PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION; *AND* ~~AND~~

(II) MAY USE THE INFORMATION SOLELY TO DEVELOP APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST CHILDREN IN BALTIMORE CITY~~.; AND~~.

~~(III) SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A RECORD PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

(3) THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE:

(I) SHALL KEEP CONFIDENTIAL ANY INFORMATION PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION; *AND* ~~AND~~

(II) MAY USE THE INFORMATION SOLELY TO DEVELOP APPROPRIATE PROGRAMS AND SERVICES TO A CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE PROGRAMS AND SERVICES~~.; AND~~.

~~(III) SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A RECORD PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

(4) (I) THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF INFORMATION PROVIDED TO IT UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE REVIEWS THE INFORMATION PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE DEPARTMENT DETAILING THE PURPOSES FOR WHICH THE INFORMATION WAS USED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013. It shall remain effective for a period of 6 years and, at the end of September 30, 2019, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 16, 2013.

Chapter 475

(Senate Bill 474)

AN ACT concerning

State Retirement and Pension System – Funding Method and Amortization of Unfunded Liabilities or Surpluses

FOR the purpose of altering the amortization periods to be used for certain unfunded liabilities or surpluses of the State Retirement and Pension System; clarifying the application of a certain amortization period to certain changes; phasing out a certain method for determining certain employer contribution rates for the employees' and teachers' retirement and pension systems; and generally relating to the funding of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–304(d), (e), and (f)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Personnel and Pensions

21–304.

(d) **[**(1)**]** Beginning July 1, **[**2001**] 2013**, each year the Board of Trustees shall set contribution rates for each State system that shall amortize:

[(i)**] (1)** all unfunded liabilities or surpluses accrued as of June 30, **[**2000**] 2013**, over **[**20**] 25** years; and

[(ii)**] (2)** any new unfunded liabilities or surpluses that have accrued from July 1 of the preceding fiscal year over **[**25 years**] THE TIME REMAINING UNTIL JUNE 30, 2038,** to reflect:

[1.**] (I)** experience gains and losses;

[2.**] (II)** the effect of changes in actuarial assumptions **AND METHODS**; and

[3.**] (III)** the effect of legislation effective on or after July 1, **[**2001**] 2013**.

[(2) If the accrued liability is increased by legislation that provides for early retirement of State employees, the additional liability shall be funded over a period of 5 years beginning on:

(i) July 1, 1997 for legislation effective June 1, 1996; and

(ii) July 1, 1998 for legislation effective June 1, 1997.

(3) If the accrued liability is increased by legislation effective June 1, 1998, that provides for the early retirement of employees of the University System of Maryland who are members of the Employees' Pension System or the Employees' Retirement System, the additional liability shall be determined by the actuary and funded over a period of 5 years beginning on July 1, 1999 by payment of an annual accrued liability contribution by the University System of Maryland and the Medical System as provided in § 21–307(h) and (i) of this subtitle.**]**

(e) (1) **[**When the funding ratio for the employees' systems is between 90% and 110%, inclusive, the employees' system contribution rate is the rate for the previous fiscal year, adjusted to reflect legislative changes that result in changes in normal cost and to amortize over 25 years any actuarial liabilities of the employees' systems.

(2)**]** **[**Subject**]** **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION AND SUBJECT** to paragraph **[**(4)**]** **(2)** of this subsection, **[**when the funding ratio for the employees' systems is below 90%,**]** the employees' system contribution rate shall be the sum of:

(i) the employees' system contribution rate for the previous fiscal year; and

(ii) 1. 20% of the difference between the full funding rate for the current fiscal year and the employees' system contribution rate for the previous fiscal year; or

2. for a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is first determined as a result of an actuarial valuation under § 21–125(b) of this title, 20% of the difference between the preliminary funding rate for the current fiscal year and the employees' system contribution rate for the previous fiscal year.

[(3) Subject to paragraph (4) of this subsection, when the funding ratio for the employees' systems is above 110%, the employees' system contribution rate shall be the difference between:

(i) the employees' system contribution rate for the previous fiscal year; and

(ii) 1. 20% of the difference between the employees' system contribution rate for the previous fiscal year and the full funding rate for the current fiscal year; or

2. for a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is first determined as a result of an actuarial valuation under § 21–125(b) of this title, 20% of the difference between the employees' system contribution rate for the previous fiscal year and the preliminary funding rate for the current fiscal year.**]**

[(4)**]** **(2)** For a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is determined as a result of an actuarial valuation under § 21–125(b) of this title, the contribution rate for the employees' systems under paragraph **[**(2) or (3)**]** **(1)** of this subsection shall be adjusted to fully reflect the cost or savings of the new legislative changes that result in changes in normal contributions or accrued liabilities and to amortize over **[**25 years**]** **THE TIME REMAINING UNTIL JUNE 30, 2038,** any changes in accrued liabilities of the employees' systems.

(3) THE PERCENTAGES USED IN PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE:

(I) 28% FOR THE RATE FOR FISCAL YEAR 2015;

(II) 36% FOR THE RATE FOR FISCAL YEAR 2016;

(III) 44% FOR THE RATE FOR FISCAL YEAR 2017;

(IV) 52% FOR THE RATE FOR FISCAL YEAR 2018;

(V) 60% FOR THE RATE FOR FISCAL YEAR 2019;

(VI) 68% FOR THE RATE FOR FISCAL YEAR 2020;

(VII) 76% FOR THE RATE FOR FISCAL YEAR 2021;

(VIII) 84% FOR THE RATE FOR FISCAL YEAR 2022;

(IX) 92% FOR THE RATE FOR FISCAL YEAR 2023; AND

(X) 100% FOR THE RATE FOR FISCAL YEAR 2024 AND THEREAFTER.

(f) (1) **[**When the funding ratio for the teachers' systems is between 90% and 110%, the teachers' system contribution rate is the rate for the previous fiscal year, adjusted to reflect legislative changes that result in changes in normal cost and to amortize over 25 years any actuarial liabilities of the teachers' systems.

(2)**]** **[**Subject**]** **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION AND SUBJECT** to paragraph **[**(4)**]** **(2)** of this subsection, **[**when the funding ratio for the teachers' systems is below 90%,**]** the teachers' system contribution rate shall be the sum of:

(i) the teachers' system contribution rate for the previous fiscal year; and

(ii) 1. 20% of the difference between the full funding rate for the current fiscal year and the teachers' system contribution rate for the previous fiscal year; or

2. for a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is first determined as a result of an actuarial valuation under § 21–125(b) of this title, 20% of the difference between

the preliminary funding rate for the current fiscal year and the teachers' system contribution rate for the previous fiscal year.

[(3) Subject to paragraph (4) of this subsection, when the funding ratio for the teachers' systems is above 110%, the teachers' system contribution rate shall be the difference between:

(i) the teachers' system contribution rate for the previous fiscal year; and

(ii) 1. 20% of the difference between the teachers' system contribution rate for the previous fiscal year and the full funding rate for the current fiscal year; or

2. for a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is first determined as a result of an actuarial valuation under § 21–125(b) of this title, 20% of the difference between the teachers' system contribution rate for the previous fiscal year and the preliminary funding rate for the current fiscal year.**]**

[(4)**] (2)** For a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is determined as a result of an actuarial valuation under § 21–125(b) of this title, the contribution rate for the teachers' systems under paragraph **[**(2) or (3)**] (1)** of this subsection shall be adjusted to fully reflect the cost or savings of the new legislative changes that result in changes in normal contributions or accrued liabilities and to amortize over **[**25 years**] THE TIME REMAINING UNTIL JUNE 30, 2038,** any changes in accrued liabilities of the teachers' systems.

(3) THE PERCENTAGES USED IN PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE:

(I) 28% FOR THE RATE FOR FISCAL YEAR 2015;

(II) 36% FOR THE RATE FOR FISCAL YEAR 2016;

(III) 44% FOR THE RATE FOR FISCAL YEAR 2017;

(IV) 52% FOR THE RATE FOR FISCAL YEAR 2018;

(V) 60% FOR THE RATE FOR FISCAL YEAR 2019;

(VI) 68% FOR THE RATE FOR FISCAL YEAR 2020;

(VII) 76% FOR THE RATE FOR FISCAL YEAR 2021;

(VIII) 84% FOR THE RATE FOR FISCAL YEAR 2022;

(IX) 92% FOR THE RATE FOR FISCAL YEAR 2023; AND

(X) 100% FOR THE RATE FOR FISCAL YEAR 2024 AND THEREAFTER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 476

(House Bill 496)

AN ACT concerning

State Retirement and Pension System – Funding Method and Amortization of Unfunded Liabilities or Surpluses

FOR the purpose of altering the amortization periods to be used for certain unfunded liabilities or surpluses of the State Retirement and Pension System; clarifying the application of a certain amortization period to certain changes; phasing out a certain method for determining certain employer contribution rates for the employees' and teachers' retirement and pension systems; and generally relating to the funding of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–304(d), (e), and (f)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Personnel and Pensions

21–304.

(d) **[**(1)**]** Beginning July 1, **[**2001**] 2013**, each year the Board of Trustees shall set contribution rates for each State system that shall amortize:

[(i)**] (1)** all unfunded liabilities or surpluses accrued as of June 30, **[**2000**] 2013**, over **[**20**] 25** years; and

[(ii)**] (2)** any new unfunded liabilities or surpluses that have accrued from July 1 of the preceding fiscal year over **[**25 years**] THE TIME REMAINING UNTIL JUNE 30, 2038,** to reflect:

[1.**] (I)** experience gains and losses;

[2.**] (II)** the effect of changes in actuarial assumptions **AND METHODS**; and

[3.**] (III)** the effect of legislation effective on or after July 1, **[**2001**] 2013**.

[(2) If the accrued liability is increased by legislation that provides for early retirement of State employees, the additional liability shall be funded over a period of 5 years beginning on:

(i) July 1, 1997 for legislation effective June 1, 1996; and

(ii) July 1, 1998 for legislation effective June 1, 1997.

(3) If the accrued liability is increased by legislation effective June 1, 1998, that provides for the early retirement of employees of the University System of Maryland who are members of the Employees' Pension System or the Employees' Retirement System, the additional liability shall be determined by the actuary and funded over a period of 5 years beginning on July 1, 1999 by payment of an annual accrued liability contribution by the University System of Maryland and the Medical System as provided in § 21–307(h) and (i) of this subtitle.**]**

(e) (1) **[**When the funding ratio for the employees' systems is between 90% and 110%, inclusive, the employees' system contribution rate is the rate for the previous fiscal year, adjusted to reflect legislative changes that result in changes in normal cost and to amortize over 25 years any actuarial liabilities of the employees' systems.

(2)**]** **[**Subject**] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION AND SUBJECT** to paragraph **[**(4)**] (2)** of this subsection, **[**when the funding ratio for the employees' systems is below 90%,**]** the employees' system contribution rate shall be the sum of:

(i) the employees' system contribution rate for the previous fiscal year; and

(ii) 1. 20% of the difference between the full funding rate for the current fiscal year and the employees' system contribution rate for the previous fiscal year; or

2. for a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is first determined as a result of an actuarial valuation under § 21–125(b) of this title, 20% of the difference between the preliminary funding rate for the current fiscal year and the employees' system contribution rate for the previous fiscal year.

[(3) Subject to paragraph (4) of this subsection, when the funding ratio for the employees' systems is above 110%, the employees' system contribution rate shall be the difference between:

(i) the employees' system contribution rate for the previous fiscal year; and

(ii) 1. 20% of the difference between the employees' system contribution rate for the previous fiscal year and the full funding rate for the current fiscal year; or

2. for a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is first determined as a result of an actuarial valuation under § 21–125(b) of this title, 20% of the difference between the employees' system contribution rate for the previous fiscal year and the preliminary funding rate for the current fiscal year.**]**

[(4)**] (2)** For a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is determined as a result of an actuarial valuation under § 21–125(b) of this title, the contribution rate for the employees' systems under paragraph **[**(2) or (3)**] (1)** of this subsection shall be adjusted to fully reflect the cost or savings of the new legislative changes that result in changes in normal contributions or accrued liabilities and to amortize over **[**25 years**] THE TIME REMAINING UNTIL JUNE 30, 2038,** any changes in accrued liabilities of the employees' systems.

(3) THE PERCENTAGES USED IN PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE:

(I) 28% FOR THE RATE FOR FISCAL YEAR 2015;

(II) 36% FOR THE RATE FOR FISCAL YEAR 2016;

(III) 44% FOR THE RATE FOR FISCAL YEAR 2017;

(IV) 52% FOR THE RATE FOR FISCAL YEAR 2018;

(V) 60% FOR THE RATE FOR FISCAL YEAR 2019;

(VI) 68% FOR THE RATE FOR FISCAL YEAR 2020;

(VII) 76% FOR THE RATE FOR FISCAL YEAR 2021;

(VIII) 84% FOR THE RATE FOR FISCAL YEAR 2022;

(IX) 92% FOR THE RATE FOR FISCAL YEAR 2023; AND

(X) 100% FOR THE RATE FOR FISCAL YEAR 2024 AND THEREAFTER.

(f) (1) **[**When the funding ratio for the teachers' systems is between 90% and 110%, the teachers' system contribution rate is the rate for the previous fiscal year, adjusted to reflect legislative changes that result in changes in normal cost and to amortize over 25 years any actuarial liabilities of the teachers' systems.

(2)**]** **[**Subject**]** **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION AND SUBJECT** to paragraph **[**(4)**]** **(2)** of this subsection, **[**when the funding ratio for the teachers' systems is below 90%,**]** the teachers' system contribution rate shall be the sum of:

(i) the teachers' system contribution rate for the previous fiscal year; and

(ii) 1. 20% of the difference between the full funding rate for the current fiscal year and the teachers' system contribution rate for the previous fiscal year; or

2. for a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is first determined as a result of an actuarial valuation under § 21–125(b) of this title, 20% of the difference between the preliminary funding rate for the current fiscal year and the teachers' system contribution rate for the previous fiscal year.

[(3) Subject to paragraph (4) of this subsection, when the funding ratio for the teachers' systems is above 110%, the teachers' system contribution rate shall be the difference between:

(i) the teachers' system contribution rate for the previous fiscal year; and

(ii) 1. 20% of the difference between the teachers' system contribution rate for the previous fiscal year and the full funding rate for the current fiscal year; or

2. for a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is first determined as a result of an actuarial valuation under § 21–125(b) of this title, 20% of the difference between the teachers' system contribution rate for the previous fiscal year and the preliminary funding rate for the current fiscal year.**]**

[(4)**] (2)** For a fiscal year for which an adjustment to normal cost or accrued liabilities for a new legislative change is determined as a result of an actuarial valuation under § 21–125(b) of this title, the contribution rate for the teachers' systems under paragraph **[**(2) or (3)**] (1)** of this subsection shall be adjusted to fully reflect the cost or savings of the new legislative changes that result in changes in normal contributions or accrued liabilities and to amortize over **[**25 years**] THE TIME REMAINING UNTIL JUNE 30, 2038,** any changes in accrued liabilities of the teachers' systems.

(3) THE PERCENTAGES USED IN PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE:

(I) 28% FOR THE RATE FOR FISCAL YEAR 2015;

(II) 36% FOR THE RATE FOR FISCAL YEAR 2016;

(III) 44% FOR THE RATE FOR FISCAL YEAR 2017;

(IV) 52% FOR THE RATE FOR FISCAL YEAR 2018;

(V) 60% FOR THE RATE FOR FISCAL YEAR 2019;

(VI) 68% FOR THE RATE FOR FISCAL YEAR 2020;

(VII) 76% FOR THE RATE FOR FISCAL YEAR 2021;

(VIII) 84% FOR THE RATE FOR FISCAL YEAR 2022;

(IX) 92% FOR THE RATE FOR FISCAL YEAR 2023; AND

(X) 100% FOR THE RATE FOR FISCAL YEAR 2024 AND THEREAFTER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 477

(Senate Bill 476)

AN ACT concerning

State Retirement and Pension System – Unused Sick Leave Calculation – Clarification

FOR the purpose of clarifying the calculation used by the Board of Trustees for the State Retirement and Pension System to determine the amount of creditable service a member of the State Retirement and Pension System is eligible to receive for unused sick leave at retirement; and generally relating to the clarification of the unused sick leave calculation used to determine additional creditable service at retirement for members of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 20–206
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Personnel and Pensions

20–206.

(a) In this section, "unused sick leave" means sick leave credit that has not been used before retirement.

(b) This section does not apply to:

(1) the Judges' Retirement System; or

(2) the Legislative Pension Plan.

(c) A member is entitled to receive creditable service for unused sick leave if the member retires on or before 30 days after the member is separated from

employment with a participating employer or a participating governmental unit that has withdrawn from one of the several systems under Title 31 of this article.

(d) (1) At retirement, a member is entitled to receive creditable service for unused sick leave, on verification of the unused sick leave to the Board of Trustees.

(2) (i) This subsection does not apply to the Local Fire and Police System or the Law Enforcement Officers' Pension System.

(ii) A member who separates from employment for reasons other than retirement on or before June 30, 1990, is entitled to receive creditable service for unused sick leave that is reported by the member's employer at the member's separation from employment if the member was entitled to a vested allowance at the time of separation.

(e) (1) Subject to ~~paragraph~~ ***PARAGRAPHS (2) AND*** (3) of this subsection, for 22 days of unused sick leave a member is entitled to receive 1 month of creditable service.

(2) ***(I)*** ~~If~~ ***IF A MEMBER HAS AT LEAST 11 DAYS BUT LESS THAN 22 DAYS OF UNUSED SICK LEAVE, THE MEMBER IS ENTITLED TO RECEIVE 1 MONTH OF CREDITABLE SERVICE.***

(II) IF A MEMBER HAS AT LEAST 22 DAYS OF UNUSED SICK LEAVE, AND IF fractional days totaling 11 or more result from the application of the formula described in paragraph (1) of this subsection, a member is entitled to receive 1 additional month of creditable service.

(3) For the purposes of this section:

(i) a member may not accumulate more than 15 days of sick leave per year;

(ii) unless sick leave credit is accepted and credited by the current participating employer, a member may not receive credit for unused sick leave granted by a former employer; and

(iii) **[**if a participating employer provides a member with more than 15 days of sick leave per year, before crediting the member with additional sick leave for a year, the Board of Trustees shall reduce the member's accumulated sick leave by the lesser of:

1. the days of sick leave used by the member in that year; or

2. the number of days of sick leave provided by the participating employer for the year, less 15**] IN DETERMINING THE AMOUNT OF UNUSED SICK LEAVE A MEMBER IS ELIGIBLE TO USE AS CREDITABLE SERVICE AT RETIREMENT, THE BOARD OF TRUSTEES SHALL USE THE LESSER OF:**

1. THE MEMBER'S NUMBER OF YEARS OF CREDITABLE SERVICE, NOT INCLUDING CREDIT FOR UNUSED SICK LEAVE, MULTIPLIED BY 15; OR

2. THE MEMBER'S CUMULATIVE NUMBER OF SICK LEAVE DAYS REPORTED BY THE PARTICIPATING EMPLOYER.

(f) Credit for unused sick leave may not be used under this section:

(1) to determine years of eligibility service required for a benefit under this Division II; or

(2) to compute average final compensation.

(g) A State employee who came into the State system while retaining sick leave and annual leave benefits under a county system and who came under the provisions of Chapter 423 of the Acts of 1971 shall be entitled to the same full credit toward retirement as provided by this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 478

(House Bill 495)

AN ACT concerning

State Retirement and Pension System – Unused Sick Leave Calculation – Clarification

FOR the purpose of clarifying the calculation used by the Board of Trustees for the State Retirement and Pension System to determine the amount of creditable service a member of the State Retirement and Pension System is eligible to receive for unused sick leave at retirement; and generally relating to the clarification of the unused sick leave calculation used to determine additional

creditable service at retirement for members of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 20–206
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Personnel and Pensions

20–206.

(a) In this section, "unused sick leave" means sick leave credit that has not been used before retirement.

(b) This section does not apply to:

(1) the Judges' Retirement System; or

(2) the Legislative Pension Plan.

(c) A member is entitled to receive creditable service for unused sick leave if the member retires on or before 30 days after the member is separated from employment with a participating employer or a participating governmental unit that has withdrawn from one of the several systems under Title 31 of this article.

(d) (1) At retirement, a member is entitled to receive creditable service for unused sick leave, on verification of the unused sick leave to the Board of Trustees.

(2) (i) This subsection does not apply to the Local Fire and Police System or the Law Enforcement Officers' Pension System.

(ii) A member who separates from employment for reasons other than retirement on or before June 30, 1990, is entitled to receive creditable service for unused sick leave that is reported by the member's employer at the member's separation from employment if the member was entitled to a vested allowance at the time of separation.

(e) (1) Subject to ~~paragraph~~ ***PARAGRAPHS (2) AND*** (3) of this subsection, for 22 days of unused sick leave a member is entitled to receive 1 month of creditable service.

(2) ***(I)*** ~~If~~ ***IF A MEMBER HAS AT LEAST 11 DAYS BUT LESS THAN 22 DAYS OF UNUSED SICK LEAVE, THE MEMBER IS ENTITLED TO RECEIVE 1 MONTH OF CREDITABLE SERVICE.***

(II) IF A MEMBER HAS AT LEAST 22 DAYS OF UNUSED SICK LEAVE, AND IF fractional days totaling 11 or more result from the application of the formula described in paragraph (1) of this subsection, a member is entitled to receive 1 additional month of creditable service.

(3) For the purposes of this section:

(i) a member may not accumulate more than 15 days of sick leave per year;

(ii) unless sick leave credit is accepted and credited by the current participating employer, a member may not receive credit for unused sick leave granted by a former employer; and

(iii) **[**if a participating employer provides a member with more than 15 days of sick leave per year, before crediting the member with additional sick leave for a year, the Board of Trustees shall reduce the member's accumulated sick leave by the lesser of:

1. the days of sick leave used by the member in that year; or

2. the number of days of sick leave provided by the participating employer for the year, less 15**] IN DETERMINING THE AMOUNT OF UNUSED SICK LEAVE A MEMBER IS ELIGIBLE TO USE AS CREDITABLE SERVICE AT RETIREMENT, THE BOARD OF TRUSTEES SHALL USE THE LESSER OF:**

1. THE MEMBER'S NUMBER OF YEARS OF CREDITABLE SERVICE, NOT INCLUDING CREDIT FOR UNUSED SICK LEAVE, MULTIPLIED BY 15; OR

2. THE MEMBER'S CUMULATIVE NUMBER OF SICK LEAVE DAYS REPORTED BY THE PARTICIPATING EMPLOYER.

(f) Credit for unused sick leave may not be used under this section:

(1) to determine years of eligibility service required for a benefit under this Division II; or

(2) to compute average final compensation.

(g) A State employee who came into the State system while retaining sick leave and annual leave benefits under a county system and who came under the provisions of Chapter 423 of the Acts of 1971 shall be entitled to the same full credit toward retirement as provided by this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 479

(Senate Bill 477)

AN ACT concerning

State Retirement and Pension System – Employment of Retirees – Required Break in Service

FOR the purpose of prohibiting certain retired members of the State Retirement and Pension System from being employed on a certain basis by certain employers within a certain period of time; deleting certain obsolete provisions; making certain clarifying changes; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the requirement of a break in service prior to the employment of certain retirees of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–406(b), (d), (n), (o), and (p), 23–407(b), (d), (n), (o), and (p), 24–405.1, 25–403(h), 26–403(f), ~~27–406(b)~~ 27–406(a) and (b), and 28–402(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 25–403(a), 26–403(a), ~~27–406(a),~~ and 28–402(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing
Article – State Personnel and Pensions
Section 22–406(m) and 23–407(m)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 29–117(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 27–406(a) ~~and (b)~~
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 27–406(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

BY adding to
Article – State Personnel and Pensions
Section 27–406(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

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

Article – State Personnel and Pensions

22–406.

(b) Except as provided in subsection **[**(m)**] (D)** of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, if:

(1) the individual immediately notifies the Board of Trustees of the individual's intention to accept this employment; and

(2) the individual specifies the compensation to be received.

(d) An individual who is **[**rehired under this section**] RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** ~~**AND WHO IS EMPLOYED BY THE**~~

~~**STATE OR OTHER PARTICIPATING EMPLOYER**~~ may not be **[**rehired**]** **EMPLOYED** within 45 days of the date the individual retired**, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:**

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER **[**if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance;

(2) (i) at the time of retirement, the individual was a member of the Employees' Retirement System as an employee of a withdrawn governmental unit; and

(ii) the individual's current employer is the same withdrawn governmental unit that employed the individual at the time of the individual's last separation from employment with a withdrawn governmental unit before the individual commenced receiving a service retirement allowance; or

(3) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

[(m) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; or

(2) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.**]**

[(n)**]** **(M)** On or before October 1 of each year, the State Superintendent of Schools shall submit a report for the previous school year, to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of rehired retirees under subsection (c)(4)(v) and (vi) and (8) of this section;

(2) (i) the school and school system where each retiree was rehired; and

(ii) whether the school:

1. was not making adequate yearly progress or was a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

2. was receiving funds under Title 1 of the federal No Child Left Behind Act of 2001;

3. has more than 50% of the students attending that school who are eligible for free and reduced–price meals established by the United States Department of Agriculture; or

4. provided an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school;

(3) a copy of the annual staffing report generated by the State Superintendent of Schools in accordance with § 18–703(g)(1) of the Education Article certifying areas of critical shortage for the previous school year as evidenced by projected employment vacancies substantially exceeding projected qualified graduates;

(4) the subject matter that each rehired retiree was teaching;

(5) the salary of each rehired retiree;

(6) the total number of years each retiree has been reemployed at the school where the retiree was rehired for the previous school year; and

(7) the percentage of student population composed of children in poverty that is required to be present in a school in that school system in order for that school to qualify as a Title 1 school.

[(o)**] (N)** On or before October 1 of each year, the Board of Trustees shall submit a report for the previous calendar year to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of individuals in each local school system that the Board of Trustees and the State Department of Education agree were rehired and did

not satisfy the criteria provided in subsection (c)(4)(v) or (vi) and (5), (6), or (8) of this section; and

(2) any reimbursements a local school system made under subsection (c)(9)(iii) of this section.

[(p)**] (O)** On or before September 1 of each year, the Secretary of Public Safety and Correctional Services shall submit a report in accordance with § 2–1246 of the State Government Article to the Joint Committee on Pensions that provides:

(1) the number of rehired retirees under subsection (c)(4)(x) of this section;

(2) the annual salary of each rehired retiree at the time of retirement and the current annual salary of each rehired retiree;

(3) the number of parole and probation employees hired who are not retirees; and

(4) the annual salary of each parole and probation employee who is hired.

23–407.

(b) Except as provided in subsection **[**(m)**] (D)** of this section, an individual who is receiving a service retirement allowance or a vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, if:

(1) the individual immediately notifies the Board of Trustees of the individual's intention to accept this employment; and

(2) the individual specifies the compensation to be received.

(d) An individual who is **[**rehired under this section**] RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** ~~**AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER**~~ may not be **[**rehired**] EMPLOYED** within 45 days of the date the individual retired**, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:**

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER [if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance;

(2) (i) at the time of retirement, the individual was a member of the Employees' Pension System as an employee of a withdrawn governmental unit; and

(ii) the individual's current employer is the same withdrawn governmental unit that employed the individual at the time of the individual's last separation from employment with a withdrawn governmental unit before the individual commenced receiving a service retirement allowance; or

(3) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

[(m) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; or

(2) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.**]**

[(n)**] (M)** On or before October 1 of each year, the State Superintendent of Schools shall submit a report for the previous school year, to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of rehired retirees under subsection (c)(4)(iv) and (v) and (8) of this section;

(2) (i) the school and school system where each retiree was rehired; and

(ii) whether the school:

1. was not making adequate yearly progress or was a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

2. was receiving funds under Title 1 of the federal No Child Left Behind Act of 2001;

3. has more than 50% of the students attending that school who are eligible for free and reduced–price meals established by the United States Department of Agriculture; or

4. provided an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school;

(3) a copy of the annual staffing report generated by the State Superintendent of Schools in accordance with § 18–703(g)(1) of the Education Article certifying areas of critical shortage for the previous school year as evidenced by projected employment vacancies substantially exceeding projected qualified graduates;

(4) the subject matter that each rehired retiree was teaching;

(5) the salary of each rehired retiree;

(6) the total number of years each retiree has been reemployed at the school where the retiree was rehired for the previous school year; and

(7) the percentage of student population composed of children in poverty that is required to be present in a school in that school system in order for that school to qualify as a Title 1 school.

[(o)**] (N)** On or before October 1 of each year, the Board of Trustees shall submit a report for the previous calendar year to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of individuals in each local school system that the Board of Trustees and the State Department of Education agree were rehired and did not satisfy the criteria provided in subsection (c)(4)(iv) or (v) and (5), (6), or (8) of this section; and

(2) any reimbursements a local school system made under subsection (c)(9)(ii) of this section.

[(p)**] (O)** On or before September 1 of each year, the Secretary of Public Safety and Correctional Services shall submit a report in accordance with § 2–1246 of the State Government Article to the Joint Committee on Pensions that provides:

(1) the number of rehired retirees under subsection (c)(4)(viii) of this section;

(2) the annual salary of each rehired retiree at the time of retirement and the current annual salary of each rehired retiree;

(3) the number of parole and probation employees hired who are not retirees; and

(4) the annual salary of each parole and probation employee who is hired.

24–405.1.

~~A retiree of the State Police Retirement System who is [rehired] EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER on a permanent, temporary, or contractual basis~~ **AN INDIVIDUAL WHO IS RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** may not be **[**rehired**]** **EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS** within 45 days of the date the individual retired **[**if the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

25–403.

(a) Except as provided in subsection (h) of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, if the individual immediately notifies the Board of Trustees:

(1) of the individual's intention to accept the employment; and

(2) of the compensation that the individual will receive.

(h) An individual who is **[**rehired under this section**]** **RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** ~~AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER~~ may not be **[**rehired**]** **EMPLOYED** within 45 days of the date the individual retired**, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:**

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING

GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER **[**if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance;

(2) (i) at the time of retirement, the individual was a member of the Correctional Officers' Retirement System as an employee of a withdrawn governmental unit; and

(ii) the individual's current employer is the same withdrawn governmental unit that employed the individual at the time of the individual's last separation from employment with a withdrawn governmental unit before the individual commenced receiving a service retirement allowance; or

(3) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

26–403.

(a) Except as provided in subsection (f) of this section, a retiree who is receiving a service retirement allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, without any reduction in retirement allowance.

(f) An individual who is **[**rehired under this section**]** **RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** ~~**AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER**~~ may not be **[**rehired**]** **EMPLOYED** within 45 days of the date the individual retired**, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:**

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER **[**if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance;

(2) (i) at the time of retirement, the individual was a member of the Law Enforcement Officers' Pension System as an employee of a withdrawn governmental unit; and

(ii) the individual's current employer is the same withdrawn governmental unit that employed the individual at the time of the individual's last separation from employment with a withdrawn governmental unit before the individual commenced receiving a service retirement allowance; or

(3) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

27–406.

(a) ~~A~~ **SUBJECT TO SUBSECTION (B) OF THIS SECTION, A** retiree may accept employment in which all or part of the compensation for the employment comes from municipal, county, or State funds, if the retiree immediately notifies the Board of Trustees of:

(1) the retiree's intention to accept the employment; and

(2) the compensation that the retiree will receive.

(b) (1) This subsection does not apply to a retiree who is temporarily assigned to sit in a court of this State under the authority of Article IV, § 3A of the Maryland Constitution.

(2) A retiree may not be **[**rehired**]** **EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS** within 45 days of the date the individual retired **[**if the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

28–402.

(a) Except as provided in subsection (g) of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, without any reduction in the allowance, if:

(1) the individual immediately notifies the Board of Trustees of the individual's intention to accept the employment; and

(2) the individual specifies the compensation to be received.

(g) An individual who is **[**rehired under this section**]** **RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** ~~**AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER**~~ may not be **[**rehired**]** **EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS** within 45 days of the date the individual retired **[**if the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance**]**.

29–117.

(E) AN INDIVIDUAL WHO IS RECEIVING A DISABILITY RETIREMENT ALLOWANCE UNDER THIS TITLE ~~**AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER**~~ **MAY NOT BE EMPLOYED WITHIN 45 DAYS OF THE DATE THE INDIVIDUAL RETIRED, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:**

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER.

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

Article – State Personnel and Pensions

27–406.

(a) This section does not apply to a retiree who:

(1) is temporarily assigned to sit in a court of this State under the authority of Article IV, § 3A of the Maryland Constitution; or

(2) is employed as a member of the faculty of a public institution of higher education in the State.

(b) ~~A~~ **SUBJECT TO SUBSECTION (E) OF THIS SECTION, A** retiree may accept employment in which all or part of the compensation for the employment comes from municipal, county, or State funds, if the retiree immediately notifies the Board of Trustees of:

(1) the retiree's intention to accept the employment; and

(2) the compensation that the retiree will receive.

(E) A RETIREE MAY NOT BE EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS WITHIN 45 DAYS OF THE DATE THE INDIVIDUAL RETIRED.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of the termination provision specified in Section 2 of Chapter 688 of the Acts of the General Assembly of 2010. If that termination provision takes effect, § 27–406(a) and (b) of the State Personnel and Pensions Article of the Annotated Code of Maryland, as enacted by Section 1 of this Act, shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.

SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 3 of this Act, this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 480

(House Bill 494)

AN ACT concerning

State Retirement and Pension System – Employment of Retirees – Required Break in Service

FOR the purpose of prohibiting certain retired members of the State Retirement and Pension System from being employed on a certain basis by certain employers within a certain period of time; deleting certain obsolete provisions; making certain clarifying changes; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the requirement of a break in service prior to the employment of certain retirees of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions

Section 22–406(b), (d), (n), (o), and (p), 23–407(b), (d), (n), (o), and (p), 24–405.1, 25–403(h), 26–403(f), ~~27–406(b)~~ 27–406(a) and (b), and 28–402(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 25–403(a), 26–403(a), ~~27–406(a),~~ and 28–402(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing
Article – State Personnel and Pensions
Section 22–406(m) and 23–407(m)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 29–117(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 27–406(a) ~~and (b)~~
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 27–406(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

BY adding to
Article – State Personnel and Pensions
Section 27–406(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

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

Article – State Personnel and Pensions

22–406.

(b) Except as provided in subsection **[**(m)**] (D)** of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, if:

(1) the individual immediately notifies the Board of Trustees of the individual's intention to accept this employment; and

(2) the individual specifies the compensation to be received.

(d) An individual who is **[**rehired under this section**] RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** ~~**AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER**~~ may not be **[**rehired**] EMPLOYED** ~~**BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS**~~ within 45 days of the date the individual retired***, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:*

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER **[**if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance;

(2) (i) at the time of retirement, the individual was a member of the Employees' Retirement System as an employee of a withdrawn governmental unit; and

(ii) the individual's current employer is the same withdrawn governmental unit that employed the individual at the time of the individual's last separation from employment with a withdrawn governmental unit before the individual commenced receiving a service retirement allowance; or

(3) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

[(m) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; or

(2) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.**]**

[(n)**] (M)** On or before October 1 of each year, the State Superintendent of Schools shall submit a report for the previous school year, to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of rehired retirees under subsection (c)(4)(v) and (vi) and (8) of this section;

(2) (i) the school and school system where each retiree was rehired; and

(ii) whether the school:

1. was not making adequate yearly progress or was a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

2. was receiving funds under Title 1 of the federal No Child Left Behind Act of 2001;

3. has more than 50% of the students attending that school who are eligible for free and reduced–price meals established by the United States Department of Agriculture; or

4. provided an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school;

(3) a copy of the annual staffing report generated by the State Superintendent of Schools in accordance with § 18–703(g)(1) of the Education Article certifying areas of critical shortage for the previous school year as evidenced by projected employment vacancies substantially exceeding projected qualified graduates;

(4) the subject matter that each rehired retiree was teaching;

(5) the salary of each rehired retiree;

(6) the total number of years each retiree has been reemployed at the school where the retiree was rehired for the previous school year; and

(7) the percentage of student population composed of children in poverty that is required to be present in a school in that school system in order for that school to qualify as a Title 1 school.

[(o)**] (N)** On or before October 1 of each year, the Board of Trustees shall submit a report for the previous calendar year to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of individuals in each local school system that the Board of Trustees and the State Department of Education agree were rehired and did not satisfy the criteria provided in subsection (c)(4)(v) or (vi) and (5), (6), or (8) of this section; and

(2) any reimbursements a local school system made under subsection (c)(9)(iii) of this section.

[(p)**] (O)** On or before September 1 of each year, the Secretary of Public Safety and Correctional Services shall submit a report in accordance with § 2–1246 of the State Government Article to the Joint Committee on Pensions that provides:

(1) the number of rehired retirees under subsection (c)(4)(x) of this section;

(2) the annual salary of each rehired retiree at the time of retirement and the current annual salary of each rehired retiree;

(3) the number of parole and probation employees hired who are not retirees; and

(4) the annual salary of each parole and probation employee who is hired.

23–407.

(b) Except as provided in subsection **[**(m)**] (D)** of this section, an individual who is receiving a service retirement allowance or a vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, if:

(1) the individual immediately notifies the Board of Trustees of the individual's intention to accept this employment; and

(2) the individual specifies the compensation to be received.

(d) An individual who is **[**rehired under this section**]** **RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** ~~**AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER**~~ may not be **[**rehired**]** **EMPLOYED** ~~**BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS**~~ within 45 days of the date the individual retired***, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:***

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER **[**if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance;

(2) (i) at the time of retirement, the individual was a member of the Employees' Pension System as an employee of a withdrawn governmental unit; and

(ii) the individual's current employer is the same withdrawn governmental unit that employed the individual at the time of the individual's last separation from employment with a withdrawn governmental unit before the individual commenced receiving a service retirement allowance; or

(3) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

[(m) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; or

(2) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from

employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.**]**

[(n)**] (M)** On or before October 1 of each year, the State Superintendent of Schools shall submit a report for the previous school year, to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of rehired retirees under subsection (c)(4)(iv) and (v) and (8) of this section;

(2) (i) the school and school system where each retiree was rehired; and

(ii) whether the school:

1. was not making adequate yearly progress or was a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

2. was receiving funds under Title 1 of the federal No Child Left Behind Act of 2001;

3. has more than 50% of the students attending that school who are eligible for free and reduced–price meals established by the United States Department of Agriculture; or

4. provided an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school;

(3) a copy of the annual staffing report generated by the State Superintendent of Schools in accordance with § 18–703(g)(1) of the Education Article certifying areas of critical shortage for the previous school year as evidenced by projected employment vacancies substantially exceeding projected qualified graduates;

(4) the subject matter that each rehired retiree was teaching;

(5) the salary of each rehired retiree;

(6) the total number of years each retiree has been reemployed at the school where the retiree was rehired for the previous school year; and

(7) the percentage of student population composed of children in poverty that is required to be present in a school in that school system in order for that school to qualify as a Title 1 school.

[(o)**] (N)** On or before October 1 of each year, the Board of Trustees shall submit a report for the previous calendar year to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of individuals in each local school system that the Board of Trustees and the State Department of Education agree were rehired and did not satisfy the criteria provided in subsection (c)(4)(iv) or (v) and (5), (6), or (8) of this section; and

(2) any reimbursements a local school system made under subsection (c)(9)(ii) of this section.

[(p)**] (O)** On or before September 1 of each year, the Secretary of Public Safety and Correctional Services shall submit a report in accordance with § 2–1246 of the State Government Article to the Joint Committee on Pensions that provides:

(1) the number of rehired retirees under subsection (c)(4)(viii) of this section;

(2) the annual salary of each rehired retiree at the time of retirement and the current annual salary of each rehired retiree;

(3) the number of parole and probation employees hired who are not retirees; and

(4) the annual salary of each parole and probation employee who is hired.

24–405.1.

~~A retiree of the State Police Retirement System who is [rehired] EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER on a permanent, temporary, or contractual basis~~ **AN INDIVIDUAL WHO IS RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** may not be **[**rehired**] EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS** within 45 days of the date the individual retired **[**if the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

25–403.

(a) Except as provided in subsection (h) of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment

with a participating employer on a permanent, temporary, or contractual basis, if the individual immediately notifies the Board of Trustees:

(1) of the individual's intention to accept the employment; and

(2) of the compensation that the individual will receive.

(h) An individual who is **[**rehired under this section**]** **RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** ~~**AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER**~~ may not be **[**rehired**]** **EMPLOYED** ~~**BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS**~~ within 45 days of the date the individual retired***, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:***

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER **[**if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance;

(2) (i) at the time of retirement, the individual was a member of the Correctional Officers' Retirement System as an employee of a withdrawn governmental unit; and

(ii) the individual's current employer is the same withdrawn governmental unit that employed the individual at the time of the individual's last separation from employment with a withdrawn governmental unit before the individual commenced receiving a service retirement allowance; or

(3) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

26–403.

(a) Except as provided in subsection (f) of this section, a retiree who is receiving a service retirement allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, without any reduction in retirement allowance.

(f) An individual who is **[**rehired under this section**]** **RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** ~~**AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER**~~ may not be **[**rehired**]** **EMPLOYED** ~~**BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS**~~ within 45 days of the date the individual retired***, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:***

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER **[**if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance;

(2) (i) at the time of retirement, the individual was a member of the Law Enforcement Officers' Pension System as an employee of a withdrawn governmental unit; and

(ii) the individual's current employer is the same withdrawn governmental unit that employed the individual at the time of the individual's last separation from employment with a withdrawn governmental unit before the individual commenced receiving a service retirement allowance; or

(3) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

27–406.

(a) ~~A~~ **SUBJECT TO SUBSECTION (B) OF THIS SECTION, A** retiree may accept employment in which all or part of the compensation for the employment comes from municipal, county, or State funds, if the retiree immediately notifies the Board of Trustees of:

(1) the retiree's intention to accept the employment; and

(2) the compensation that the retiree will receive.

(b) (1) This subsection does not apply to a retiree who is temporarily assigned to sit in a court of this State under the authority of Article IV, § 3A of the Maryland Constitution.

(2) A retiree may not be **[**rehired**]** **EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER** **ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS** within 45 days of the date the individual retired **[**if the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government**]**.

28–402.

(a) Except as provided in subsection (g) of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, without any reduction in the allowance, if:

(1) the individual immediately notifies the Board of Trustees of the individual's intention to accept the employment; and

(2) the individual specifies the compensation to be received.

(g) An individual who is **[**rehired under this section**]** **RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE** ~~**AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER**~~ may not be **[**rehired**]** **EMPLOYED** **BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS** within 45 days of the date the individual retired **[**if the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance**]**.

29–117.

(E) AN INDIVIDUAL WHO IS RECEIVING A DISABILITY RETIREMENT ALLOWANCE UNDER THIS TITLE ~~**AND WHO IS EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER**~~ **MAY NOT BE EMPLOYED** ~~**BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS**~~ **WITHIN 45 DAYS OF THE DATE THE INDIVIDUAL RETIRED,** ***ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:***

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

***(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER*.**

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

Article – State Personnel and Pensions

27–406.

(a) This section does not apply to a retiree who:

(1) is temporarily assigned to sit in a court of this State under the authority of Article IV, § 3A of the Maryland Constitution; or

(2) is employed as a member of the faculty of a public institution of higher education in the State.

(b) ~~A~~ **SUBJECT TO SUBSECTION (E) OF THIS SECTION, A** retiree may accept employment in which all or part of the compensation for the employment comes from municipal, county, or State funds, if the retiree immediately notifies the Board of Trustees of:

(1) the retiree's intention to accept the employment; and

(2) the compensation that the retiree will receive.

(E) A RETIREE MAY NOT BE EMPLOYED BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS WITHIN 45 DAYS OF THE DATE THE INDIVIDUAL RETIRED.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of the termination provision specified in Section 2 of Chapter 688 of the Acts of the General Assembly of 2010. If that termination provision takes effect, § 27–406(a) and (b) of the State Personnel and Pensions Article of the Annotated Code of Maryland, as enacted by Section 1 of this Act, shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.

SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 3 of this Act, this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 481

(Senate Bill 481)

AN ACT concerning

~~**Income Tax Credit – Home Generators**~~
Task Force on the Implementation of Tax Benefits for Emergency Preparedness Equipment

FOR the purpose of ~~allowing an individual a credit against the State income tax for the expense of purchasing a certain generator; providing for the number of credits an individual may claim; providing that the credit may not exceed a certain amount; making the credit refundable; requiring the Comptroller to adopt certain regulations; defining a certain term; providing for the application of this Act; and generally relating to an income tax credit for the expense incurred to purchase a certain generator~~ establishing the Task Force to Study the Implementation of Tax Benefits for Emergency Preparedness; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Implementation of Tax Benefits for Emergency Preparedness Equipment.

~~BY adding to~~
~~Article – Tax – General~~
~~Section 10–733~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2012 Supplement)~~

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

~~**Article – Tax – General**~~

~~**10–733.**~~

~~**(A) IN THIS SECTION, "QUALIFIED GENERATOR" MEANS A DEVICE THAT IS PURCHASED NEW AND IS DESIGNED TO GENERATE POWER DURING A POWER OUTAGE.**~~

~~(B) (1) SUBJECT TO THE LIMITATIONS OF THIS SECTION, AN INDIVIDUAL MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN AN AMOUNT EQUAL TO 50% OF THE EXPENSE INCURRED TO PURCHASE A QUALIFIED GENERATOR.~~

~~(2) AN INDIVIDUAL MAY ONLY CLAIM THE CREDIT UNDER THIS SECTION ONCE.~~

~~(C) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:~~

~~(1) $500; OR~~

~~(2) THE STATE INCOME TAX FOR THAT TAXABLE YEAR.~~

~~(D) IF THE CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE STATE INCOME TAX FOR THAT TAXABLE YEAR, AN INDIVIDUAL MAY CLAIM A REFUND IN THE AMOUNT OF THE EXCESS.~~

~~(E) THE COMPTROLLER SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012.~~

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

(a) There is a Task Force to Study Tax Benefits for Emergency Preparedness Equipment.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Comptroller, or the Comptroller's designee;

(4) one representative from the Maryland chapter of AARP, designated by the Maryland AARP State president; ~~and~~

(5) the Chairman of the Public Service Commission, or the Chairman's designee;

(6) the Secretary of the Department of Health and Mental Hygiene, or the Secretary's designee;

(7) the Director of the Maryland Energy Administration, or the Director's designee;

(8) the Director of the Maryland Emergency Management Agency, or the Director's designee;

(9) the Director of the Governor's Office of Homeland Security, or the Director's designee; and

~~(5)~~ (10) the following members, appointed by the Governor:

(i) ~~one member of the Public Service Commission;~~

~~(ii)~~ one member of the Maryland Retailers Association; and

~~(iii)~~ (ii) one member of the public who is a customer of an electric utility.

(c) The Governor shall designate the chair of the Task Force.

(d) The ~~Public Service Commission~~ Maryland Energy Administration, Maryland Emergency Management Agency, and Governor's Office of Homeland Security shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study which members of the population would benefit from the implementation of:

(i) an income tax credit to purchase electric generators; or

(ii) a tax–free period for emergency preparedness equipment;

(2) study how individuals with physical difficulties, elderly individuals, and other individuals who are dependent on a consistent supply of power for medical purposes would benefit from the implementation of:

(i) an income tax credit to purchase electric generators; or

(ii) a tax–free period for emergency preparedness equipment;

(3) study whether commercial establishments would also benefit from an income tax credit to purchase electric generators or tax–free period for emergency preparedness equipment and the costs of establishing the credit or tax–free period; and

(4) make recommendations regarding the implementation of an income tax credit for the purchase of electric generators or a tax–free period for emergency preparedness equipment, including:

(i) qualifications for the credit;

(ii) the amount of the credit to be granted; and

(iii) the length of a tax–free period for emergency preparedness equipment.

(g) On or before December 1, 2013, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013. It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 16, 2013.

Chapter 482

(Senate Bill 482)

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs

FOR the purpose of altering the amount an individual or corporation may claim as a credit against the State income tax for certain costs incurred to obtain federal

security clearances and to construct or renovate certain sensitive compartmented information facilities in the State; ~~altering the total amount of credits that the Department of Business and Economic Development may approve for any calendar year;~~ authorizing an individual or corporation to claim as a credit against the State income tax certain rental expenses under certain circumstances; and generally relating to a credit against the State income tax for costs related to federal security clearances.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–732~~(b) and (c)(2)(i)~~
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Tax – General

10–732.

(a) (1) In this section the following words have the meanings indicated.

(2) "Costs" means the costs to an individual or corporation for:

(i) security clearance administrative expenses incurred with regard to an employee in the State including, but not limited to:

1. processing application requests for clearances for employees in the State;

2. maintaining, upgrading, or installing computer systems in the State required to obtain federal security clearances; and

3. training employees in the State to administer the application process; and

(ii) construction and equipment costs incurred to construct or renovate a sensitive compartmented information facility ("SCIF") located in the State as required by the federal government.

(3) "Department" means the Department of Business and Economic Development.

(4) "Secretary" means the Secretary of Business and Economic Development.

(5) "SMALL BUSINESS" HAS THE MEANING STATED IN § 7–218 OF THIS ARTICLE.

(b) Subject to the limitations of this section, for a taxable year beginning after December 31, 2012, but before January 1, 2017, an individual or a corporation may claim credits against the State income tax for:

(1) security clearance administrative expenses, not to exceed **[**$100,000**] $200,000**; ~~and~~

(2) EXPENSES INCURRED FOR RENTAL PAYMENTS OWED DURING THE FIRST YEAR OF A RENTAL AGREEMENT FOR SPACES LEASED IN THE STATE IF THE INDIVIDUAL OR CORPORATION IS A SMALL BUSINESS THAT PERFORMS SECURITY–BASED CONTRACTING, NOT TO EXCEED $200,000; AND

~~(2)~~ **(3)** (i) Subject to subparagraph (ii) of this paragraph, construction and equipment costs incurred to construct or renovate a single SCIF in an amount equal to the lesser of 50% of the costs or **[**$100,000**] $200,000**.

(ii) The total amount of construction and equipment costs incurred to construct or renovate multiple SCIFs for which an individual or a corporation is eligible to claim as a credit against the State income tax is **[**$250,000**] $500,000**.

(c) (1) By September 15 of the calendar year following the end of the taxable year in which the costs were incurred, an individual or a corporation shall submit an application to the Department for the credits allowed under subsection **[**(b)(1) and (2)**] (B)** of this section.

~~(c)~~ (2) (i) The total amount of credits approved by the Department under subsection (b) of this section may not exceed **[**$2,000,000**]** ~~**$4,000,000**~~ for any calendar year.

(ii) If the total amount of credits applied for by all individuals and corporations under subsection (b) of this section exceeds the maximum specified under subparagraph (i) of this paragraph, the Department shall approve a credit under subsection (b) of this section for each applicant in an amount equal to the product of multiplying the credit applied for by the applicant times a fraction:

1. the numerator of which is the maximum specified under subparagraph (i) of this paragraph; and

2. the denominator of which is the total of all credits applied for by all applicants under subsection (b) of this section in the calendar year.

(3) By December 15 of the calendar year following the end of the taxable year in which the costs were incurred, the Department shall certify to the individual or corporation the amount of tax credits approved by the Department for the individual or corporation under this section.

(4) To claim the approved credits allowed under this section, an individual or a corporation shall:

(i) file an amended income tax return for the taxable year in which the costs were incurred; and

(ii) attach a copy of the Department's certification of the approved credit amount to the amended income tax return.

(d) If the credit allowed for any taxable year under this section exceeds the total tax otherwise due, an individual or corporation may apply the excess as a credit against the State income tax for succeeding taxable years until the full amount of the excess is used.

(e) The Department, in consultation with the Comptroller, shall adopt regulations to carry out the provisions of this section.

(f) On or before December 31 of each year, the Department shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the number of credits certified in the previous calendar year.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 483

(Senate Bill 486)

AN ACT concerning

Short–Term Rental of Motorcycles – Sales and Use Tax and Motor Vehicle Law

FOR the purpose of including certain motorcycles in the definition of "short–term vehicle rental" for purposes of determining the sales and use tax rate for certain vehicle rentals; including certain motorcycles in the definition of "rental vehicle" for purposes of the Motor Vehicle Law; and generally relating to the sales and

use tax rate and certain Motor Vehicle Law provisions relating to certain motorcycle rentals.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–104(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–148.1(a) and 13–939.1
Annotated Code of Maryland
(2012 Replacement Volume)

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

Article – Tax – General

11–104.

(c) (1) In this subsection:

(i) "short–term vehicle rental" means a rental of a passenger car, as defined in § 11–144.1 of the Transportation Article, or a vehicle that may be registered as a Class **D,** E, F, G, or M vehicle under Title 13, Subtitle 9 of the Transportation Article, for a period of 180 days or less under the following terms:

1. the vendor does not provide a driver for the vehicle as a part of the rental; and

2. if the vehicle is a passenger car, as defined in § 11–144.1 of the Transportation Article, **[**or**]** a multipurpose passenger vehicle, **OR A MOTORCYCLE,** the vehicle is not to be used to transport individuals or property for hire; and

(ii) "short–term vehicle rental" does not include a rental of:

1. a dump truck, as described in § 13–919 of the Transportation Article;

2. a tow truck, as described in § 13–920 of the Transportation Article; or

3. a farm vehicle exempt from the sales and use tax under § 11–201(a) of this title.

(2) The sales and use tax rate for a short–term vehicle rental for a taxable price of $2 or more is:

(i) if the vehicle is a passenger car **[**or**],** a multipurpose passenger vehicle**, OR A MOTORCYCLE**:

1. 23 cents for each exact multiple of $2; and

2. for that part of $2 in excess of an exact multiple of $2:

A. 1 cent if the excess over an exact multiple of $2 is at least 1 cent but less than 9 cents;

B. 2 cents if the excess over an exact multiple of $2 is at least 9 cents but less than 18 cents;

C. 3 cents if the excess over an exact multiple of $2 is at least 18 cents but less than 27 cents;

D. 4 cents if the excess over an exact multiple of $2 is at least 27 cents but less than 35 cents;

E. 5 cents if the excess over an exact multiple of $2 is at least 35 cents but less than 44 cents;

F. 6 cents if the excess over an exact multiple of $2 is at least 44 cents but less than 53 cents;

G. 7 cents if the excess over an exact multiple of $2 is at least 53 cents but less than 61 cents;

H. 8 cents if the excess over an exact multiple of $2 is at least 61 cents but less than 70 cents;

I. 9 cents if the excess over an exact multiple of $2 is at least 70 cents but less than 79 cents;

J. 10 cents if the excess over an exact multiple of $2 is at least 79 cents but less than 87 cents;

K. 11 cents if the excess over an exact multiple of $2 is at least 87 cents but less than 96 cents;

L. 12 cents if the excess over an exact multiple of $2 is at least 96 cents but less than $1.05;

M. 13 cents if the excess over an exact multiple of $2 is at least $1.05 but less than $1.14;

N. 14 cents if the excess over an exact multiple of $2 is at least $1.14 but less than $1.22;

O. 15 cents if the excess over an exact multiple of $2 is at least $1.22 but less than $1.31;

P. 16 cents if the excess over an exact multiple of $2 is at least $1.31 but less than $1.40;

Q. 17 cents if the excess over an exact multiple of $2 is at least $1.40 but less than $1.48;

R. 18 cents if the excess over an exact multiple of $2 is at least $1.48 but less than $1.57;

S. 19 cents if the excess over an exact multiple of $2 is at least $1.57 but less than $1.66;

T. 20 cents if the excess over an exact multiple of $2 is at least $1.66 but less than $1.74;

U. 21 cents if the excess over an exact multiple of $2 is at least $1.74 but less than $1.83;

V. 22 cents if the excess over an exact multiple of $2 is at least $1.83 but less than $1.92; and

W. 23 cents if the excess over an exact multiple of $2 is at least $1.92 but less than $2.00; or

(ii) if the vehicle is a vehicle that may be registered as a Class E, F, or G vehicle under Title 13, Subtitle 9 of the Transportation Article:

1. 8 cents for each exact dollar; and

2. 2 cents for each 25 cents or part of 25 cents in excess of an exact dollar.

Article – Transportation

11–148.1.

(a) "Rental vehicle" means a passenger car or a vehicle that may be registered as a Class **D,** E, F, G, or M vehicle under Title 13, Subtitle 9 of this article:

(1) That is acquired solely for rental purposes but will not be rented to the same person for a period of more than 180 consecutive days;

(2) (i) That, at the time of purchase, is part of a fleet of passenger cars owned by the same person, at least five of which meet the criteria in item (1) of this subsection;

(ii) That, at the time of purchase, is part of a fleet of rental trucks owned by the same person, at least five of which meet the criteria in item (1) of this subsection; **[**or**]**

(iii) That, at the time of purchase, is part of a fleet of multipurpose passenger vehicles owned by the same person, at least five of which meet the criteria in item (1) of this subsection; **OR**

(IV) THAT, AT THE TIME OF PURCHASE, IS PART OF A FLEET OF MOTORCYCLES OWNED BY THE SAME PERSON, AT LEAST FIVE OF WHICH MEET THE CRITERIA IN ITEM (1) OF THIS SUBSECTION;

(3) For which the owner does not provide a driver; and

(4) That, if the vehicle is a passenger car or multipurpose passenger vehicle, will not be used to transport individuals or property for hire.

13–939.1.

Notwithstanding any other provision of this subtitle, for a rental vehicle as defined in § 11–148.1 of this article, the annual registration fee is:

(1) For a Class A (passenger) vehicle with a manufacturer's shipping weight of:

(i) 3,700 pounds or less – $27.00; and

(ii) More than 3,700 pounds – $40.50;

(2) FOR A CLASS D (MOTORCYCLE) VEHICLE, THE AMOUNT SPECIFIED IN § 13–915 OF THIS SUBTITLE;

[(2)**] (3)** For a Class E (truck) vehicle with a manufacturer's rated capacity of 3/4 ton or less and a maximum gross vehicle weight of 7,000 pounds or less – $33.75;

[(3)**] (4)** Notwithstanding item **[**(2)**] (3)** of this section, for a Class E (truck) vehicle:

Maximum Gross Weight Limit (in Pounds)	Fee (per 1,000 Pounds or Fraction Thereof)
10,000 (minimum) – 18,000	$ 4.75
18,001 – 26,000	7.50
26,001 – 40,000	8.50
40,001 – 60,000	10.50
60,001 – 80,000 (maximum)	11.75;

[(4)**] (5)** For a Class F (tractor) vehicle based on the maximum gross weight of the vehicle in combination with a trailer or semitrailer as follows:

Maximum Gross Weight Limit (in Pounds)	Fee (per 1,000 Pounds or Fraction Thereof)
40,000 (minimum) – 60,000	$ 14.50
60,001 – 80,000 or more	16.00;

[(5)**] (6)** For a Class G (trailer) vehicle based on the maximum gross weight as follows:

(i) For a nonfreight trailer or semitrailer:

Maximum Gross Weight Limit (in Pounds)	Fee
3,000 or less	$ 13.50
3,001 – 5,000	27.00
5,001 – 10,000	47.25
10,001 – 20,000	81.00; and

(ii) For a freight trailer or semitrailer – $20.25; and

[(6)**] (7)** For a Class M (multipurpose) vehicle with a manufacturer's shipping weight of:

(i) 3,700 pounds or less – $27.00; and

(ii) More than 3,700 pounds – $40.50.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 484

(House Bill 523)

AN ACT concerning

Short–Term Rental of Motorcycles ***– Sales and Use Tax and Motor Vehicle Law***

FOR the purpose of including certain motorcycles in the definition of "short–term vehicle rental" for purposes of determining the sales and use tax rate for certain vehicle rentals; including certain motorcycles in the definition of "rental vehicle" for purposes of the Motor Vehicle Law; and generally relating to the sales and use tax rate and certain Motor Vehicle Law provisions relating to certain motorcycle rentals.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–104(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–148.1(a) and 13–939.1
Annotated Code of Maryland
(2012 Replacement Volume)

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

Article – Tax – General

11–104.

(c) (1) In this subsection:

(i) "short–term vehicle rental" means a rental of a passenger car, as defined in § 11–144.1 of the Transportation Article, or a vehicle that may be registered as a Class **D,** E, F, G, or M vehicle under Title 13, Subtitle 9 of the Transportation Article, for a period of 180 days or less under the following terms:

1. the vendor does not provide a driver for the vehicle as a part of the rental; and

2. if the vehicle is a passenger car, as defined in § 11–144.1 of the Transportation Article, **[**or**]** a multipurpose passenger vehicle, **OR A**

MOTORCYCLE, the vehicle is not to be used to transport individuals or property for hire; and

(ii) "short–term vehicle rental" does not include a rental of:

1. a dump truck, as described in § 13–919 of the Transportation Article;

2. a tow truck, as described in § 13–920 of the Transportation Article; or

3. a farm vehicle exempt from the sales and use tax under § 11–201(a) of this title.

(2) The sales and use tax rate for a short–term vehicle rental for a taxable price of $2 or more is:

(i) if the vehicle is a passenger car **[**or**],** a multipurpose passenger vehicle**, OR A MOTORCYCLE**:

1. 23 cents for each exact multiple of $2; and

2. for that part of $2 in excess of an exact multiple of $2:

A. 1 cent if the excess over an exact multiple of $2 is at least 1 cent but less than 9 cents;

B. 2 cents if the excess over an exact multiple of $2 is at least 9 cents but less than 18 cents;

C. 3 cents if the excess over an exact multiple of $2 is at least 18 cents but less than 27 cents;

D. 4 cents if the excess over an exact multiple of $2 is at least 27 cents but less than 35 cents;

E. 5 cents if the excess over an exact multiple of $2 is at least 35 cents but less than 44 cents;

F. 6 cents if the excess over an exact multiple of $2 is at least 44 cents but less than 53 cents;

G. 7 cents if the excess over an exact multiple of $2 is at least 53 cents but less than 61 cents;

H. 8 cents if the excess over an exact multiple of $2 is at least 61 cents but less than 70 cents;

I. 9 cents if the excess over an exact multiple of $2 is at least 70 cents but less than 79 cents;

J. 10 cents if the excess over an exact multiple of $2 is at least 79 cents but less than 87 cents;

K. 11 cents if the excess over an exact multiple of $2 is at least 87 cents but less than 96 cents;

L. 12 cents if the excess over an exact multiple of $2 is at least 96 cents but less than $1.05;

M. 13 cents if the excess over an exact multiple of $2 is at least $1.05 but less than $1.14;

N. 14 cents if the excess over an exact multiple of $2 is at least $1.14 but less than $1.22;

O. 15 cents if the excess over an exact multiple of $2 is at least $1.22 but less than $1.31;

P. 16 cents if the excess over an exact multiple of $2 is at least $1.31 but less than $1.40;

Q. 17 cents if the excess over an exact multiple of $2 is at least $1.40 but less than $1.48;

R. 18 cents if the excess over an exact multiple of $2 is at least $1.48 but less than $1.57;

S. 19 cents if the excess over an exact multiple of $2 is at least $1.57 but less than $1.66;

T. 20 cents if the excess over an exact multiple of $2 is at least $1.66 but less than $1.74;

U. 21 cents if the excess over an exact multiple of $2 is at least $1.74 but less than $1.83;

V. 22 cents if the excess over an exact multiple of $2 is at least $1.83 but less than $1.92; and

W. 23 cents if the excess over an exact multiple of $2 is at least $1.92 but less than $2.00; or

(ii) if the vehicle is a vehicle that may be registered as a Class E, F, or G vehicle under Title 13, Subtitle 9 of the Transportation Article:

1. 8 cents for each exact dollar; and

2. 2 cents for each 25 cents or part of 25 cents in excess of an exact dollar.

Article – Transportation

11–148.1.

(a) "Rental vehicle" means a passenger car or a vehicle that may be registered as a Class **D,** E, F, G, or M vehicle under Title 13, Subtitle 9 of this article:

(1) That is acquired solely for rental purposes but will not be rented to the same person for a period of more than 180 consecutive days;

(2) (i) That, at the time of purchase, is part of a fleet of passenger cars owned by the same person, at least five of which meet the criteria in item (1) of this subsection;

(ii) That, at the time of purchase, is part of a fleet of rental trucks owned by the same person, at least five of which meet the criteria in item (1) of this subsection; **[**or**]**

(iii) That, at the time of purchase, is part of a fleet of multipurpose passenger vehicles owned by the same person, at least five of which meet the criteria in item (1) of this subsection; **OR**

(IV) THAT, AT THE TIME OF PURCHASE, IS PART OF A FLEET OF MOTORCYCLES OWNED BY THE SAME PERSON, AT LEAST FIVE OF WHICH MEET THE CRITERIA IN ITEM (1) OF THIS SUBSECTION;

(3) For which the owner does not provide a driver; and

(4) That, if the vehicle is a passenger car or multipurpose passenger vehicle, will not be used to transport individuals or property for hire.

13–939.1.

Notwithstanding any other provision of this subtitle, for a rental vehicle as defined in § 11–148.1 of this article, the annual registration fee is:

(1) For a Class A (passenger) vehicle with a manufacturer's shipping weight of:

(i) 3,700 pounds or less – $27.00; and

(ii) More than 3,700 pounds – $40.50;

(2) FOR A CLASS D (MOTORCYCLE) VEHICLE, THE AMOUNT SPECIFIED IN § 13–915 OF THIS SUBTITLE;

[(2)**] (3)** For a Class E (truck) vehicle with a manufacturer's rated capacity of 3/4 ton or less and a maximum gross vehicle weight of 7,000 pounds or less – $33.75;

[(3)**] (4)** Notwithstanding item **[**(2)**] (3)** of this section, for a Class E (truck) vehicle:

Maximum Gross Weight Limit (in Pounds)	Fee (per 1,000 Pounds or Fraction Thereof)
10,000 (minimum) – 18,000	$ 4.75
18,001 – 26,000	7.50
26,001 – 40,000	8.50
40,001 – 60,000	10.50
60,001 – 80,000 (maximum)	11.75;

[(4)**] (5)** For a Class F (tractor) vehicle based on the maximum gross weight of the vehicle in combination with a trailer or semitrailer as follows:

Maximum Gross Weight Limit (in Pounds)	Fee (per 1,000 Pounds or Fraction Thereof)
40,000 (minimum) – 60,000	$ 14.50
60,001 – 80,000 or more	16.00;

[(5)**] (6)** For a Class G (trailer) vehicle based on the maximum gross weight as follows:

(i) For a nonfreight trailer or semitrailer:

Maximum Gross Weight Limit (in Pounds)	Fee
3,000 or less	$ 13.50
3,001 – 5,000	27.00
5,001 – 10,000	47.25
10,001 – 20,000	81.00; and

(ii) For a freight trailer or semitrailer – $20.25; and

[(6)**] (7)** For a Class M (multipurpose) vehicle with a manufacturer's shipping weight of:

(i) 3,700 pounds or less – $27.00; and

(ii) More than 3,700 pounds – $40.50.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 485

(Senate Bill 489)

AN ACT concerning

Estates and Trusts – Slayer's Statute
(Ann Sue Metz Law)

FOR the purpose of clarifying that a person who feloniously and intentionally kills, conspires to kill, or procures the killing of the decedent is disqualified from inheriting, taking, enjoying, receiving, or otherwise benefiting from the death, probate estate, or nonprobate property of the decedent, or from receiving a general or special power of appointment conferred by the will or trust of the decedent, or from serving as a personal representative, guardian, or trustee of a trust created by the decedent; providing for the severing of certain survivorship interests in certain circumstances; establishing that a disqualified person is not entitled to certain insurance or contractual benefits; establishing that a disqualified person shall be treated as if the person disclaimed certain property in certain circumstances; *providing that a person may allege in a civil proceeding that another person is disqualified for certain purposes; providing a certain period of limitations for filing a certain civil action; providing that a certain civil proceeding shall be stayed under certain circumstances;* providing for the liability and obligations of certain persons; requiring a certain person to make restitution in certain circumstances; providing that a certain conviction is *admissible in a civil proceeding and* conclusive for certain purposes; *authorizing certain persons to seek a certain determination and other relief;* authorizing a ~~court~~ *trier of fact* to make a certain determination; *clarifying that this Act does not affect a right to a jury trial that otherwise exists; making certain conforming changes relating to certain statutory provisions concerning the common law Slayer's Rule;* defining a certain term; providing for the application of this Act; and generally relating to ~~the killing of~~ *killing, conspiring to kill, or procuring the killing of* a decedent.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–919
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 2–105(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Estates and Trusts
Section 11–112
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article – Courts and Judicial Proceedings

10–919.

(a) After all right to appeal has been exhausted, a judgment of conviction establishing criminal accountability for the felonious and intentional killing of a decedent:

(1) Is admissible in a [subsequent] civil proceeding in which the Common Law Slayer's Rule is raised as an issue; and

(2) Conclusively establishes that the convicted individual feloniously and intentionally killed the decedent.

(b) This section may not be construed to prohibit a [court] ***TRIER OF FACT****, in the absence of a criminal conviction, from determining by a preponderance of the evidence in a civil proceeding that a killing was felonious and intentional.*

Article – Estates and Trusts

2–105.

(b) At the request of an interested person made within the time determined by the court, the issue of fact may be determined by a court of law. When the request is

made before the court has determined the issue of fact, the court shall transmit the issue to a court of law.

11–112.

(A) IN THIS SECTION, "DISQUALIFIED PERSON" MEANS A PERSON WHO FELONIOUSLY AND INTENTIONALLY KILLS, CONSPIRES TO KILL, OR PROCURES THE KILLING OF THE DECEDENT.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A DISQUALIFIED PERSON SHALL BE TREATED AS IF THE DISQUALIFIED PERSON DISCLAIMED THE PROPERTY OR INTEREST IN THE PROPERTY AT THE TIME OF THE DECEDENT'S DEATH.

(2) THE PROVISIONS OF § 4–403 OF THIS ARTICLE DO NOT APPLY TO THIS SECTION.

(3) A DISQUALIFIED PERSON SHALL BE DISQUALIFIED FROM:

(I) INHERITING;

(II) TAKING;

(III) ENJOYING;

(IV) RECEIVING; OR

(V) OTHERWISE BENEFITING FROM THE:

1. DEATH;

2. PROBATE ESTATE; OR

3. NONPROBATE PROPERTY OF THE DECEDENT;

(VI) RECEIVING A GENERAL OR SPECIAL POWER OF APPOINTMENT CONFERRED BY THE WILL OR TRUST OF THE DECEDENT; AND

(VII) SERVING AS A PERSONAL REPRESENTATIVE, GUARDIAN, OR TRUSTEE OF A TRUST CREATED BY THE DECEDENT.

(C) (1) THE SURVIVORSHIP INTEREST OF A DISQUALIFIED PERSON IN PROPERTY HELD WITH THE DECEDENT, INCLUDING A FORM OF CO–OWNERSHIP WITH INCIDENTS OF SURVIVORSHIP, IS SEVERED AT THE TIME OF THE DEATH OF

THE DECEDENT AND THE PROPERTY PASSES AS IF THE DECEDENT AND THE DISQUALIFIED PERSON HAVE NO RIGHTS BY SURVIVORSHIP.

(2) THIS SECTION DOES NOT APPLY TO THE SURVIVORSHIP INTEREST OF A THIRD PARTY.

(D) A DISQUALIFIED PERSON WHO IS A NAMED BENEFICIARY OF A LIFE INSURANCE POLICY ON THE DECEDENT OR OTHER CONTRACTUAL ARRANGEMENT WITH THE DECEDENT IS NOT ENTITLED TO A BENEFIT UNDER THE POLICY OR CONTRACTUAL ARRANGEMENT.

(E) (1) (I) IN A CIVIL PROCEEDING A PERSON MAY ALLEGE THAT ANOTHER PERSON IS A DISQUALIFIED PERSON.

(II) A PERSON MAY NOT FILE A CIVIL ACTION ALLEGING THAT ANOTHER PERSON IS A DISQUALIFIED PERSON AFTER THE LATER OF:

1. 3 YEARS FROM THE DATE OF THE DECEDENT'S DEATH; OR

2. IF THE ALLEGED DISQUALIFIED PERSON IS CRIMINALLY CHARGED WITHIN 3 YEARS FROM THE DATE OF THE DECEDENT'S DEATH WITH FELONIOUSLY AND INTENTIONALLY KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF THE DECEDENT, 1 YEAR FROM THE DATE THAT THE CRIMINAL CHARGE IS FILED.

(2) ON REQUEST OF A PARTY IN A CIVIL PROCEEDING IN WHICH A PERSON IS ALLEGED TO BE A DISQUALIFIED PERSON, THE CIVIL PROCEEDING SHALL BE STAYED PENDING A FINAL JUDGMENT IN A CASE IN WHICH THE ALLEGED DISQUALIFIED PERSON IS CRIMINALLY CHARGED WITH FELONIOUSLY AND INTENTIONALLY KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF THE DECEDENT.

(3) (I) FOR PURPOSES OF THIS SECTION, ONLY A PERSON WHO WOULD BE ENTITLED TO OBTAIN PROPERTY IF ANOTHER PERSON IS FOUND TO BE A DISQUALIFIED PERSON, OR THE PERSON'S REPRESENTATIVE, MAY PROVIDE NOTICE TO A THIRD PARTY THAT ANOTHER PERSON IS A DISQUALIFIED PERSON.

(II) FOR PURPOSES OF THIS SECTION, A PERSON DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH OR THE PERSON'S REPRESENTATIVE MAY NOT PROVIDE NOTICE TO A THIRD PARTY THAT A PERSON IS A DISQUALIFIED PERSON LATER THAN THE TIME FOR FILING A CIVIL ACTION DESCRIBED IN THIS SUBSECTION.

~~(E)~~ *(F)* *(1)* A THIRD PARTY, INCLUDING AN INSURANCE COMPANY, BANK, OR OTHER OBLIGOR, MAKING A PAYMENT ACCORDING TO THE TERMS OF A POLICY OR OBLIGATION, IS NOT LIABLE BY REASON OF THIS SECTION UNLESS, BEFORE THE PAYMENT IS MADE, THE THIRD PARTY HAS RECEIVED AT THE HOME OFFICE OR PRINCIPAL ADDRESS OF THE THIRD PARTY WRITTEN NOTICE OF AN ALLEGED DISQUALIFIED PERSON UNDER THIS SECTION.

(2) A THIRD PARTY, INCLUDING AN INSURANCE COMPANY, A BANK, OR ANY OTHER OBLIGOR, WHO FILES AN INTERPLEADER REGARDING AN AMOUNT OWED MAY NOT BE LIABLE TO AN ALLEGED DISQUALIFIED PERSON FOR WRONGFUL DISHONOR OR ANY OTHER CLAIM RELATING TO THE AMOUNT OWED.

~~(F)~~ *(G)* (1) A ~~PERSON~~ *THIRD PARTY* WHO PURCHASES PROPERTY FOR VALUE AND WITHOUT NOTICE OR WHO RECEIVES A PAYMENT OR OTHER ITEM OF PROPERTY IN PARTIAL OR FULL SATISFACTION OF A LEGALLY ENFORCEABLE OBLIGATION IS NOT OBLIGATED UNDER THIS SECTION TO RETURN THE PAYMENT, ITEM OF PROPERTY, OR BENEFIT, AND IS NOT LIABLE UNDER THIS SECTION FOR THE AMOUNT OF THE PAYMENT OR THE VALUE OF THE ITEM OF PROPERTY OR BENEFIT.

(2) A PERSON WHO, NOT FOR VALUE, RECEIVES A PAYMENT, AN ITEM OF PROPERTY, OR ANY OTHER BENEFIT TO WHICH THE PERSON IS NOT ENTITLED UNDER THIS SECTION IS OBLIGATED TO RETURN THE PAYMENT OR ITEM OF PROPERTY, AND IS PERSONALLY LIABLE FOR THE AMOUNT OF THE PAYMENT OR THE VALUE OF THE ITEM OF PROPERTY OR BENEFIT TO THE PERSON WHO IS ENTITLED TO RECEIVE THE PAYMENT, ITEM OF PROPERTY, OR OTHER BENEFIT.

~~(G)~~ *(H)* IN THE EVENT A DISTRIBUTION IS ERRONEOUSLY MADE TO A DISQUALIFIED PERSON, THE DISQUALIFIED PERSON SHALL MAKE FULL RESTITUTION TO THE HEIR, LEGATEE, BENEFICIARY, OR JOINT TENANT WHO SHOULD HAVE RECEIVED THE DISTRIBUTION IN ACCORDANCE WITH THIS SECTION.

(I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AN INTERESTED PERSON OR A NAMED BENEFICIARY OF A LIFE INSURANCE POLICY ON THE DECEDENT OR OTHER CONTRACTUAL ARRANGEMENT WITH THE DECEDENT MAY SEEK A DETERMINATION IN THE PROPER COURT, BY DECLARATORY JUDGMENT OR OTHERWISE, THAT THE PERSON OR NAMED BENEFICIARY IS NOT A DISQUALIFIED PERSON AND OTHER RELIEF.

~~(H)~~ *(J)* (1) A FINAL CONVICTION OF FELONIOUS AND INTENTIONAL KILLING*, CONSPIRING TO KILL, OR PROCURING THE KILLING OF A DECEDENT IS*

ADMISSIBLE IN A CIVIL PROCEEDING IN WHICH A PERSON IS ALLEGED TO BE A DISQUALIFIED PERSON AND **IS CONCLUSIVE FOR PURPOSES OF THIS SECTION.**

(2) IN THE ABSENCE OF A *FINAL* CONVICTION ~~OF FELONIOUS AND INTENTIONAL KILLING~~ *DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION*, THE ~~COURT~~ *TRIER OF FACT IN A CIVIL PROCEEDING* MAY DETERMINE BY A PREPONDERANCE OF EVIDENCE WHETHER ~~THE KILLING WAS FELONIOUS AND INTENTIONAL~~ *A PERSON FELONIOUSLY AND INTENTIONALLY KILLED, CONSPIRED TO KILL, OR PROCURED THE KILLING OF THE DECEDENT* FOR PURPOSES OF THIS SECTION.

(3) NOTHING IN THIS SECTION AFFECTS A RIGHT TO A JURY TRIAL WHICH OTHERWISE EXISTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to the estate or property of a person who dies before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 486

(House Bill 1211)

AN ACT concerning

Estates and Trusts – Slayer's Statute
(Ann Sue Metz Law)

FOR the purpose of clarifying that a person who feloniously and intentionally kills, conspires to kill, or procures the killing of the decedent is disqualified from inheriting, taking, enjoying, receiving, or otherwise benefiting from the death, probate estate, or nonprobate property of the decedent, or from receiving a general or special power of appointment conferred by the will or trust of the decedent, or from serving as a personal representative, guardian, or trustee of a trust created by the decedent; providing for the severing of certain survivorship interests in certain circumstances; establishing that a disqualified person is not entitled to certain insurance or contractual benefits; establishing that a disqualified person shall be treated as if the person disclaimed certain property in certain circumstances; providing that a person may allege in a civil

proceeding that another person is disqualified for certain purposes; providing a certain period of limitations for filing a certain civil action; providing that a certain civil proceeding shall be stayed under certain circumstances; providing for the liability and obligations of certain persons; requiring a certain person to make restitution in certain circumstances; providing that a certain conviction is admissible in a civil proceeding and conclusive for certain purposes; authorizing certain persons to seek a certain determination and other relief; authorizing a ~~court~~ trier of fact to make a certain determination; clarifying that this Act does not affect a right to a jury trial that otherwise exists; making certain conforming changes relating to certain statutory provisions concerning the common law Slayer's Rule; defining a certain term; providing for the application of this Act; and generally relating to ~~the killing of~~ killing, conspiring to kill, or procuring the killing of a decedent.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–919
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 2–105(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Estates and Trusts
Section 11–112
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Article – Courts and Judicial Proceedings

10–919.

(a) After all right to appeal has been exhausted, a judgment of conviction establishing criminal accountability for the felonious and intentional killing of a decedent:

(1) Is admissible in a [subsequent] civil proceeding in which the Common Law Slayer's Rule is raised as an issue; and

(2) Conclusively establishes that the convicted individual feloniously and intentionally killed the decedent.

(b) This section may not be construed to prohibit a [court] **TRIER OF FACT**, in the absence of a criminal conviction, from determining by a preponderance of the evidence in a civil proceeding that a killing was felonious and intentional.

Article – Estates and Trusts

2–105.

(b) At the request of an interested person made within the time determined by the court, the issue of fact may be determined by a court of law. When the request is made before the court has determined the issue of fact, the court shall transmit the issue to a court of law.

11–112.

(A) IN THIS SECTION, "DISQUALIFIED PERSON" MEANS A PERSON WHO FELONIOUSLY AND INTENTIONALLY KILLS, CONSPIRES TO KILL, OR PROCURES THE KILLING OF THE DECEDENT.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A DISQUALIFIED PERSON SHALL BE TREATED AS IF THE DISQUALIFIED PERSON DISCLAIMED THE PROPERTY OR INTEREST IN THE PROPERTY AT THE TIME OF THE DECEDENT'S DEATH.

(2) THE PROVISIONS OF § 4–403 OF THIS ARTICLE DO NOT APPLY TO THIS SECTION.

(3) A DISQUALIFIED PERSON SHALL BE DISQUALIFIED FROM:

(I) INHERITING;

(II) TAKING;

(III) ENJOYING;

(IV) RECEIVING; OR

(V) OTHERWISE BENEFITING FROM THE:

1. DEATH;

2. PROBATE ESTATE; OR

3. NONPROBATE PROPERTY OF THE DECEDENT;

(VI) RECEIVING A GENERAL OR SPECIAL POWER OF APPOINTMENT CONFERRED BY THE WILL OR TRUST OF THE DECEDENT; AND

(VII) SERVING AS A PERSONAL REPRESENTATIVE, GUARDIAN, OR TRUSTEE OF A TRUST CREATED BY THE DECEDENT.

(C) (1) THE SURVIVORSHIP INTEREST OF A DISQUALIFIED PERSON IN PROPERTY HELD WITH THE DECEDENT, INCLUDING A FORM OF CO–OWNERSHIP WITH INCIDENTS OF SURVIVORSHIP, IS SEVERED AT THE TIME OF THE DEATH OF THE DECEDENT AND THE PROPERTY PASSES AS IF THE DECEDENT AND THE DISQUALIFIED PERSON HAVE NO RIGHTS BY SURVIVORSHIP.

(2) THIS SECTION DOES NOT APPLY TO THE SURVIVORSHIP INTEREST OF A THIRD PARTY.

(D) A DISQUALIFIED PERSON WHO IS A NAMED BENEFICIARY OF A LIFE INSURANCE POLICY ON THE DECEDENT OR OTHER CONTRACTUAL ARRANGEMENT WITH THE DECEDENT IS NOT ENTITLED TO A BENEFIT UNDER THE POLICY OR CONTRACTUAL ARRANGEMENT.

(E) (1) (I) IN A CIVIL PROCEEDING A PERSON MAY ALLEGE THAT ANOTHER PERSON IS A DISQUALIFIED PERSON.

(II) A PERSON MAY NOT FILE A CIVIL ACTION ALLEGING THAT ANOTHER PERSON IS A DISQUALIFIED PERSON AFTER THE LATER OF:

1. 3 YEARS FROM THE DATE OF THE DECEDENT'S DEATH; OR

2. IF THE ALLEGED DISQUALIFIED PERSON IS CRIMINALLY CHARGED WITHIN 3 YEARS FROM THE DATE OF THE DECEDENT'S DEATH WITH FELONIOUSLY AND INTENTIONALLY KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF THE DECEDENT, 1 YEAR FROM THE DATE THAT THE CRIMINAL CHARGE IS FILED.

(2) ON REQUEST OF A PARTY IN A CIVIL PROCEEDING IN WHICH A PERSON IS ALLEGED TO BE A DISQUALIFIED PERSON, THE CIVIL PROCEEDING SHALL BE STAYED PENDING A FINAL JUDGMENT IN A CASE IN WHICH THE ALLEGED DISQUALIFIED PERSON IS CRIMINALLY CHARGED WITH FELONIOUSLY AND INTENTIONALLY KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF THE DECEDENT.

(3) (I) FOR PURPOSES OF THIS SECTION, ONLY A PERSON WHO WOULD BE ENTITLED TO OBTAIN PROPERTY IF ANOTHER PERSON IS FOUND TO BE A DISQUALIFIED PERSON, OR THE PERSON'S REPRESENTATIVE, MAY PROVIDE NOTICE TO A THIRD PARTY THAT ANOTHER PERSON IS A DISQUALIFIED PERSON.

(II) FOR PURPOSES OF THIS SECTION, A PERSON DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH OR THE PERSON'S REPRESENTATIVE MAY NOT PROVIDE NOTICE TO A THIRD PARTY THAT A PERSON IS A DISQUALIFIED PERSON LATER THAN THE TIME FOR FILING A CIVIL ACTION DESCRIBED IN THIS SUBSECTION.

~~(E)~~ (F) (1) A THIRD PARTY, INCLUDING AN INSURANCE COMPANY, BANK, OR OTHER OBLIGOR, MAKING A PAYMENT ACCORDING TO THE TERMS OF A POLICY OR OBLIGATION, IS NOT LIABLE BY REASON OF THIS SECTION UNLESS, BEFORE THE PAYMENT IS MADE, THE THIRD PARTY HAS RECEIVED AT THE HOME OFFICE OR PRINCIPAL ADDRESS OF THE THIRD PARTY WRITTEN NOTICE OF AN ALLEGED DISQUALIFIED PERSON UNDER THIS SECTION.

(2) A THIRD PARTY, INCLUDING AN INSURANCE COMPANY, A BANK, OR ANY OTHER OBLIGOR, WHO FILES AN INTERPLEADER REGARDING AN AMOUNT OWED MAY NOT BE LIABLE TO AN ALLEGED DISQUALIFIED PERSON FOR WRONGFUL DISHONOR OR ANY OTHER CLAIM RELATING TO THE AMOUNT OWED.

~~(F)~~ (G) (1) A ~~PERSON~~ THIRD PARTY WHO PURCHASES PROPERTY FOR VALUE AND WITHOUT NOTICE OR WHO RECEIVES A PAYMENT OR OTHER ITEM OF PROPERTY IN PARTIAL OR FULL SATISFACTION OF A LEGALLY ENFORCEABLE OBLIGATION IS NOT OBLIGATED UNDER THIS SECTION TO RETURN THE PAYMENT, ITEM OF PROPERTY, OR BENEFIT, AND IS NOT LIABLE UNDER THIS SECTION FOR THE AMOUNT OF THE PAYMENT OR THE VALUE OF THE ITEM OF PROPERTY OR BENEFIT.

(2) A PERSON WHO, NOT FOR VALUE, RECEIVES A PAYMENT, AN ITEM OF PROPERTY, OR ANY OTHER BENEFIT TO WHICH THE PERSON IS NOT ENTITLED UNDER THIS SECTION IS OBLIGATED TO RETURN THE PAYMENT OR ITEM OF PROPERTY, AND IS PERSONALLY LIABLE FOR THE AMOUNT OF THE PAYMENT OR THE VALUE OF THE ITEM OF PROPERTY OR BENEFIT TO THE PERSON WHO IS ENTITLED TO RECEIVE THE PAYMENT, ITEM OF PROPERTY, OR OTHER BENEFIT.

~~(G)~~ (H) IN THE EVENT A DISTRIBUTION IS ERRONEOUSLY MADE TO A DISQUALIFIED PERSON, THE DISQUALIFIED PERSON SHALL MAKE FULL

RESTITUTION TO THE HEIR, LEGATEE, BENEFICIARY, OR JOINT TENANT WHO SHOULD HAVE RECEIVED THE DISTRIBUTION IN ACCORDANCE WITH THIS SECTION.

(I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AN INTERESTED PERSON OR A NAMED BENEFICIARY OF A LIFE INSURANCE POLICY ON THE DECEDENT OR OTHER CONTRACTUAL ARRANGEMENT WITH THE DECEDENT MAY SEEK A DETERMINATION IN THE PROPER COURT, BY DECLARATORY JUDGMENT OR OTHERWISE, THAT THE PERSON OR NAMED BENEFICIARY IS NOT A DISQUALIFIED PERSON AND OTHER RELIEF.

~~(H)~~ (J) (1) A FINAL CONVICTION OF FELONIOUS AND INTENTIONAL KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF A DECEDENT IS ADMISSIBLE IN A CIVIL PROCEEDING IN WHICH A PERSON IS ALLEGED TO BE A DISQUALIFIED PERSON AND IS CONCLUSIVE FOR PURPOSES OF THIS SECTION.

(2) IN THE ABSENCE OF A FINAL CONVICTION ~~OF FELONIOUS AND INTENTIONAL KILLING~~ DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE ~~COURT~~ TRIER OF FACT IN A CIVIL PROCEEDING MAY DETERMINE BY A PREPONDERANCE OF EVIDENCE WHETHER ~~THE KILLING WAS FELONIOUS AND INTENTIONAL~~ A PERSON FELONIOUSLY AND INTENTIONALLY KILLED, CONSPIRED TO KILL, OR PROCURED THE KILLING OF THE DECEDENT FOR PURPOSES OF THIS SECTION.

(3) NOTHING IN THIS SECTION AFFECTS A RIGHT TO A JURY TRIAL WHICH OTHERWISE EXISTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to the estate or property of a person who dies before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 487

(Senate Bill 505)

AN ACT concerning

Criminal Procedure – Bail Bonds – Cash Bail

FOR the purpose of authorizing in circuit courts and in the District Court cash bail or cash bond to be posted by the defendant*, by an individual,* or by a certain private surety acting for the defendant under certain circumstances; requiring cash bail or cash bond to be posted by the defendant only, unless the order setting bail expressly provides otherwise, in cases involving a defendant's failure to pay support to certain individuals; providing for the repeal of laws inconsistent with this Act; and generally relating to bail bonds in circuit courts and in the District Court.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–203 and 5–205
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Article – Criminal Procedure

5–203.

(a) (1) Subject to **[**paragraph (2)**]** **PARAGRAPHS (2) AND (3)** of this subsection, a circuit court may adopt rules setting the terms and conditions of bail bonds filed in that court and rules on the qualifications of and fees charged by bail bondsmen.

(2) Notwithstanding any other law or rule to the contrary, if expressly authorized by the court, a defendant or a private surety acting for the defendant may post a bail bond by executing it in the full penalty amount and depositing with the clerk of court the greater of 10% of the penalty amount or $25.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF AN ORDER SETTING "CASH BAIL" OR "CASH BOND" SPECIFIES THAT IT MAY BE POSTED BY THE DEFENDANT ONLY, THE "CASH BAIL" OR "CASH BOND" MAY BE POSTED BY THE DEFENDANT*, BY AN INDIVIDUAL,* OR BY A PRIVATE SURETY, ACTING FOR THE DEFENDANT, THAT HOLDS A CERTIFICATE OF AUTHORITY IN THE STATE.

(II) UNLESS OTHERWISE ORDERED BY THE COURT, AN ORDER SETTING "CASH BAIL" OR "CASH BOND" FOR A FAILURE TO PAY SUPPORT UNDER TITLE 10, TITLE 11, TITLE 12, OR TITLE 13 OF THE FAMILY LAW ARTICLE MAY BE POSTED BY THE DEFENDANT ONLY.

[(3)**] (4)** A bail bond commissioner may be appointed to carry out rules adopted under this section.

[(4)**] (5)** A violation of a rule adopted under this section is contempt of court and shall be punished in accordance with Title 15, Chapter 200 of the Maryland Rules.

[(5)**] (6)** A person may not engage in the business of becoming a surety for compensation on bail bonds in criminal cases unless the person is:

(i) approved in accordance with any rules adopted under this section; and

(ii) if required under the Insurance Article, licensed in accordance with the Insurance Article.

(b) (1) In the circuit courts in the Seventh Judicial Circuit, a bail bondsman approved under subsection (a) of this section shall pay a license fee of 1% of the gross value of all bail bonds written in all courts of the circuit, if the fee is approved by the court of the county in which it applies.

(2) The fee shall be paid to the court as required by the rules of court and shall be used to pay the expenses of carrying out this section.

(3) Any absolute bail bond forfeitures collected may be used to pay the expenses of carrying out this section.

5–205.

(a) A District Court judge may:

(1) set bond or bail;

(2) release a defendant on personal recognizance or on a personal or other bail bond;

(3) commit a defendant to a correctional facility in default of a bail bond;

(4) order a bail bond forfeited if the defendant fails to meet the conditions of the bond; and

(5) exercise all of the powers of a justice of the peace under the Constitution of 1867.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF AN ORDER SETTING "CASH BAIL" OR "CASH BOND" SPECIFIES THAT IT MAY BE POSTED BY THE DEFENDANT ONLY, THE "CASH BAIL" OR "CASH BOND" MAY BE POSTED BY THE DEFENDANT, *BY AN INDIVIDUAL*, OR BY A PRIVATE SURETY, ACTING FOR THE DEFENDANT, THAT HOLDS A CERTIFICATE OF AUTHORITY IN THE STATE.

(2) UNLESS OTHERWISE EXPRESSLY ORDERED BY THE COURT OR DISTRICT COURT COMMISSIONER, AN ORDER SETTING "CASH BAIL" OR "CASH BOND" FOR A FAILURE TO PAY SUPPORT UNDER TITLE 10, TITLE 11, TITLE 12, OR TITLE 13 OF THE FAMILY LAW ARTICLE MAY BE POSTED BY THE DEFENDANT ONLY.

[(b)**] (C)** (1) This subsection does not apply to a defendant who has been arrested for failure to appear in court or for contempt of court.

(2) (i) Notwithstanding any other law or rule to the contrary, in a criminal or traffic case in the District Court in which a bail bond has been set and if expressly authorized by the court or District Court commissioner, the defendant or a private surety acting for the defendant may post the bail bond by:

1. executing it in the full penalty amount; and

2. depositing with the clerk of the court or a commissioner the greater of 10% of the penalty amount or $25.

(ii) A judicial officer may increase the percentage of cash surety required in a particular case but may not authorize a cash deposit of less than $25.

(3) On depositing the amount required under paragraph (2) of this subsection and executing the recognizance, the defendant shall be released from custody subject to the conditions of the bail bond.

[(c)**] (D)** (1) When all conditions of the bail bond have been performed without default and the defendant has been discharged from all obligations in the cause for which the recognizance was posted, the clerk of the court shall return the deposit to the person or private surety who deposited it.

(2) (i) If the defendant fails to perform any condition of the bail bond, the bail bond shall be forfeited.

(ii) If the bail bond is forfeited, the liability of the bail bond shall extend to the full amount of the bail bond set and the amount posted as a deposit shall be applied to reduce the liability incurred by the forfeiture.

SECTION 2. AND BE IT FURTHER ENACTED, That all laws or parts of laws, public general or public local, inconsistent with this Act, are repealed to the extent of the inconsistency.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 488

(Senate Bill 506)

AN ACT concerning

Washington County – Technology–Related Businesses – Payment in Lieu of Taxes Agreements

FOR the purpose of authorizing the governing body of Washington County to enter into an agreement with the owner of a technology–related business for payment in lieu of the county personal property tax; requiring that a payment in lieu of taxes agreement include certain provisions; exempting personal property of a technology–related business from county personal property tax as specified in a payment in lieu of taxes agreement; providing for the application of this Act; and generally relating to authorizing Washington County to enter into payment in lieu of taxes agreements with technology–related businesses.

BY adding to
Article – Tax – Property
Section 7–509.1
Annotated Code of Maryland
(2012 Replacement Volume)

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

Article – Tax – Property

7–509.1.

(A) (1) THE GOVERNING BODY OF WASHINGTON COUNTY MAY ENTER INTO AN AGREEMENT WITH THE OWNER OF A TECHNOLOGY–RELATED BUSINESS THAT IS LOCATED OR LOCATES IN WASHINGTON COUNTY FOR A NEGOTIATED

PAYMENT BY THE OWNER IN LIEU OF TAXES ON PERSONAL PROPERTY OWNED BY THE TECHNOLOGY–RELATED BUSINESS.

(2) AN AGREEMENT FOR A NEGOTIATED PAYMENT IN LIEU OF TAXES UNDER THIS SECTION SHALL PROVIDE THAT, FOR THE TERM SPECIFIED IN THE AGREEMENT:

(I) THE OWNER SHALL PAY TO WASHINGTON COUNTY A SPECIFIED AMOUNT EACH YEAR IN LIEU OF THE PAYMENT OF WASHINGTON COUNTY PERSONAL PROPERTY TAX; AND

(II) ALL OR A SPECIFIED PART OF THE PERSONAL PROPERTY OF THE TECHNOLOGY–RELATED BUSINESS SHALL BE EXEMPT FROM WASHINGTON COUNTY PERSONAL PROPERTY TAX FOR THE TERM OF THE AGREEMENT.

(B) AS SPECIFIED IN AN AGREEMENT FOR A NEGOTIATED PAYMENT IN LIEU OF TAXES UNDER THIS SECTION, FOR THE TERM SPECIFIED IN THE AGREEMENT, THE PERSONAL PROPERTY OF A TECHNOLOGY–RELATED BUSINESS THAT IS LOCATED OR LOCATES IN WASHINGTON COUNTY IS EXEMPT FROM WASHINGTON COUNTY PERSONAL PROPERTY TAX.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013, and shall be applicable to all taxable years beginning after June 30, 2013.

Approved by the Governor, May 16, 2013.

Chapter 489

(House Bill 551)

AN ACT concerning

Washington County – Technology–Related Businesses – Payment in Lieu of Taxes Agreements

FOR the purpose of authorizing the governing body of Washington County to enter into an agreement with the owner of a technology–related business for payment in lieu of the county personal property tax; requiring that a payment in lieu of taxes agreement include certain provisions; exempting personal property of a technology–related business from county personal property tax as specified in a payment in lieu of taxes agreement; providing for the application of this Act;

and generally relating to authorizing Washington County to enter into payment in lieu of taxes agreements with technology–related businesses.

BY adding to
Article – Tax – Property
Section 7–509.1
Annotated Code of Maryland
(2012 Replacement Volume)

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

Article – Tax – Property

7–509.1.

(A) (1) THE GOVERNING BODY OF WASHINGTON COUNTY MAY ENTER INTO AN AGREEMENT WITH THE OWNER OF A TECHNOLOGY–RELATED BUSINESS THAT IS LOCATED OR LOCATES IN WASHINGTON COUNTY FOR A NEGOTIATED PAYMENT BY THE OWNER IN LIEU OF TAXES ON PERSONAL PROPERTY OWNED BY THE TECHNOLOGY–RELATED BUSINESS.

(2) AN AGREEMENT FOR A NEGOTIATED PAYMENT IN LIEU OF TAXES UNDER THIS SECTION SHALL PROVIDE THAT, FOR THE TERM SPECIFIED IN THE AGREEMENT:

(I) THE OWNER SHALL PAY TO WASHINGTON COUNTY A SPECIFIED AMOUNT EACH YEAR IN LIEU OF THE PAYMENT OF WASHINGTON COUNTY PERSONAL PROPERTY TAX; AND

(II) ALL OR A SPECIFIED PART OF THE PERSONAL PROPERTY OF THE TECHNOLOGY–RELATED BUSINESS SHALL BE EXEMPT FROM WASHINGTON COUNTY PERSONAL PROPERTY TAX FOR THE TERM OF THE AGREEMENT.

(B) AS SPECIFIED IN AN AGREEMENT FOR A NEGOTIATED PAYMENT IN LIEU OF TAXES UNDER THIS SECTION, FOR THE TERM SPECIFIED IN THE AGREEMENT, THE PERSONAL PROPERTY OF A TECHNOLOGY–RELATED BUSINESS THAT IS LOCATED OR LOCATES IN WASHINGTON COUNTY IS EXEMPT FROM WASHINGTON COUNTY PERSONAL PROPERTY TAX.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013, and shall be applicable to all taxable years beginning after June 30, 2013.

Approved by the Governor, May 16, 2013.

Chapter 490

(Senate Bill 510)

AN ACT concerning

Institutions of Higher Education – Fully Online Distance Education Programs – Regulation

FOR the purpose of altering the type of institution that is required to register with the Maryland Higher Education Commission before enrolling certain students in certain fully online distance education programs; prohibiting certain institutions of higher education from commencing or continuing to enroll certain students without registering with the Maryland Higher Education Commission; prohibiting certain institutions from receiving a registration from the Commission; requiring the Commission to give certain notice to certain institutions under certain circumstances within a certain period of time; providing certain institutions a certain right to judicial review; authorizing certain institutions to enroll certain students without a registration; requiring certain institutions to submit certain financial statements and prohibiting certain institutions from commencing to operate, do business, or function unless the Commission makes a certain determination; requiring certain institutions to file a certain application with the Commission before enrolling certain students; exempting certain institutions from the requirement to register with the Commission; authorizing certain institutions to continue to operate without a registration under certain circumstances; requiring certain institutions to be accredited, submit certain information to the Commission, notify the Commission of certain changes, comply with certain principles of good practice, make public and publish certain information on the institution's Web site, comply with a certain refund policy and procedures, and be subject to certain complaint investigation; ~~altering a certain refund policy and procedure; prohibiting certain institutions from enrolling certain students unless the institution gives certain notice to certain students of the institution's refund policy for certain students and obtains a certain acknowledgment from certain students that the students have received and understand a certain refund policy;~~ requiring the Commission to make public and post on its Web site the names of certain institutions under certain circumstances; altering the contents of a certain report; requiring the Commission to peruse certain databases and certain information sources to make certain determinations during a certain period of time; altering the scope and use of a certain guaranty fund; altering the type of student on behalf of whom a certain claim can be made against a certain fund; requiring certain institutions to pay a certain fee into a certain fund; requiring the Commission to deposit certain penalties into certain funds;

authorizing the Commission to impose a certain penalty on certain institutions under certain circumstances; requiring the Commission to deposit certain monetary penalties into a certain fund; subjecting certain institutions to revocation of registration under certain circumstances; altering the length of time before which certain institutions will be subject to a certain fine; prohibiting certain institutions from enrolling certain students under certain circumstances; requiring certain institutions to submit certain data to the Maryland Longitudinal Data System; making certain stylistic changes; defining certain terms; and generally relating to the regulation of institutions of higher education that offer fully online distance education programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–202(a)(2) and (3), (c–1)(1), and (d)(1), 11–202.1(b) and (c), ~~11–202.2~~ *11–202.2(a), (b), (c), (f), and (g)*, 11–203(a), (d)(1)(iii), (2)(iii), and (3)(i) and (iv), 11–204(c)(2) and (d)(1) and (3), and 24–707(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Education
Section 11–202.3
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Article – Education

11–202.

(a) (2) Except as provided in **[**§ 11–202.2**] §§ 11–202.1 AND 11–202.2** of this subtitle, an institution of **[**postsecondary**] HIGHER** education that enrolls Maryland students in a fully online distance education program in the State may not commence or continue **[**to operate, do business, or function**] ENROLLMENT OF MARYLAND STUDENTS** without registering with the Commission **[**within 6 months of enrolling the first Maryland student**] AS PROVIDED UNDER § 11–202.2 OF THIS SUBTITLE**.

(3) **[**Except as provided in § 11–202.1 of this subtitle, but notwithstanding any other provision of law, an institution**] AN INSTITUTION REQUIRED TO REGISTER UNDER PARAGRAPH (2) OF THIS SUBSECTION** that is not accredited by an accrediting body recognized and approved by the United States Department of Education may not **[**commence or continue to operate, do business, or function in the State**] RECEIVE A REGISTRATION FROM THE COMMISSION**.

(c–1) (1) If the Commission believes that an institution of **[**postsecondary**]** **HIGHER** education that is required to register under **SUBSECTION (A)(2) OF THIS SECTION OR** § 11–202.2 of this subtitle does not meet the conditions or standards necessary for the issuance of the registration, the Commission shall give the institution written notice of the specific deficiencies within 6 months after receipt of an application for registration.

(d) (1) Any institution of postsecondary education that is denied a certificate of approval by the Commission after a hearing granted under subsection (c) of this section or **ANY INSTITUTION OF HIGHER EDUCATION** that is denied a registration after a hearing granted under subsection (c–1) of this section has the right to judicial review provided by Title 10, Subtitle 2 of the State Government Article.

11–202.1.

(b) Subject to the requirements imposed by subsection (c) of this section, the following institutions of postsecondary education may operate without a certificate of approval from the Commission **AND MAY ENROLL MARYLAND STUDENTS IN A FULLY ONLINE DISTANCE EDUCATION PROGRAM IN THE STATE WITHOUT A REGISTRATION FROM THE COMMISSION**:

(1) A religious educational institution that certifies, in accordance with procedures established by the Commission, that the institution:

(i) Is founded and operated by a church or other religious institution or organization of churches or religious institutions as an integral part of the religious ministry of that institution or organization;

(ii) Offers sectarian instruction only designed for and aimed at persons who hold or seek to learn particular religious faiths or beliefs of religious institutions or religious organizations, and provides only educational programs for religious vocations; and

(iii) States on the certificate or diploma the religious nature of the award; and

(2) A church or other religious institution offering a postsecondary instructional program leading to a certificate or diploma only if designed for and aimed at persons who hold or seek to learn the particular religious faith or beliefs of that church or religious institution, and providing only educational programs for religious purposes.

(c) (1) Each institution authorized to operate without a certificate of approval **OR WITHOUT A REGISTRATION** under subsection (b) of this section:

(i) Shall submit to the Commission, every 2 years, a financial statement reviewed by an independent accountant retained by the institution; and

(ii) May not commence or continue to operate, do business, or function unless the Commission determines on the basis of the financial statement submitted by the institution that the institution possesses adequate financial resources to support the institution's educational program.

(2) The Commission shall adopt regulations establishing procedures and standards for the submission and evaluation of the reports and financial statements submitted by institutions under this subsection.

11–202.2.

(a) (1) In this subtitle the following words have the meanings indicated.

(2) "Distance education" means course work taught by an institution of **[**postsecondary**]** **HIGHER** education through electronic distribution of instruction to a site other than the principal location of the institution and advertised or described as leading to the formal award of a certificate or degree.

(3) "Fully online distance education program in the State" means a program in which:

(i) 100% of the program is offered through electronic distribution of instruction to one or more sites other than the principal location of an institution; or

(ii) 51% or more of the program is offered through electronic distribution of instruction to one or more sites other than the principal location of an institution and the Commission has determined that the portion of the program offered at a location in the State, if any, does not require a certificate of approval for the institution to operate, do business, or function in the State.

(b) (1) **[**Except as provided in paragraphs (2) and (3) of this subsection, an**]** **AN** institution of **[**postsecondary**]** **HIGHER** education that enrolls Maryland students in a fully online distance education program in the State shall file an application to register with the Commission **BEFORE OR** within 3 months of **[**enrollment**]** **ENROLLING THE FIRST MARYLAND STUDENT**.

(2) This section does not apply to an institution of **[**postsecondary**]** **HIGHER** education that enrolls Maryland students in a fully online distance education program in the State that**:**

(I) **[**has been approved or received a favorable recommendation**]** **IS SUBJECT TO PROGRAM REVIEW** by the Commission under § 11–206 or § 11–206.1 of this subtitle**; OR**

(II) PARTICIPATES IN THE SOUTHERN REGIONAL EDUCATION BOARD'S ELECTRONIC CAMPUS.

(3) (i) **[**Notwithstanding the requirements of § 11–202(c–1) of this subtitle, an**]** **AFTER FILING AN APPLICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, AN** institution that has enrolled **A** Maryland **[**students**]** **STUDENT** before obtaining **A** registration under this section may continue to operate without a registration while the Commission considers the institution's application, conducts a hearing concerning the institution's application, or participates in judicial review regarding an institution's application.

(ii) An institution that continues to operate without a registration under subparagraph (i) of this paragraph shall furnish a performance bond or other form of financial guarantee to the State in an amount set by regulation that is in addition to and separate from a performance bond or other form of financial guarantee required under § 11–203 of this subtitle.

(c) Each institution **OF HIGHER EDUCATION** required to register under **[**subsection (b) of**]** this section shall:

(1) Be accredited by an accrediting body recognized and approved by the United States Department of Education;

(2) Submit to the Commission:

(i) Every 2 years, a financial statement reviewed by an independent accountant retained by the institution;

(ii) An affidavit from the president or chief executive officer of the institution affirming:

1. That the institution has not filed for bankruptcy protection under Title 11 of the United States Code during its existence; and

2. The willingness of the president or the chief executive officer to abide by the provisions of this section;

(iii) Proof of good business standing in the state in which the central administration of the institution is incorporated; and

(iv) Proof of good academic standing submitted by:

1. The regulatory higher education entity in the state in which the central administration of the institution is located; or

2. If the state in which the institution is located does not have a regulatory higher education entity, the accrediting body that accredited the institution;

(3) Promptly notify the Commission of a change in ownership or a change in majority control;

(4) Comply with the Principles of Good Practice for distance education established by the Commission through regulation;

(5) Make public and post on the institution's Web site:

(i) Whether the institution is registered in Maryland; and

(ii) The process by which to make complaints against the institution;

(6) Comply with the refund policy and procedures established by the Commission; and

(7) Be subject to complaint investigation by the Office of the Attorney General or the Commission or both.

~~(d) The refund policy and procedures established by the Commission shall [allow for] PERMIT:~~

~~(1) (i) At least 2 weeks of required orientation or preenrollment instruction in a fully online distance education program in the State at no charge for a student who has completed less than 24 credits of college-level learning from an accredited institution; and~~

~~(ii) [A prorated refund methodology that provides a refund to any] FOR A student not covered by item (i) of this paragraph WHO HAS COMPLETED UP TO:~~

~~1. ONE WEEK OF A COURSE, TERM, OR PROGRAM WITHIN THE APPLICABLE BILLING PERIOD, 100% REFUND; AND~~

~~2. [who has completed 60% or less] 25% of a course, term, or program within the applicable billing period, A REFUND METHODOLOGY THAT PROVIDES A REFUND IN AN AMOUNT DETERMINED BY THE COMMISSION AND ESTABLISHED BY REGULATION; or~~

~~(2) **FOR A STUDENT WHO HAS COMPLETED UP TO:**~~

~~(I) **ONE WEEK OF A COURSE, TERM, OR PROGRAM WITHIN THE APPLICABLE BILLING PERIOD, 100% REFUND; AND**~~

~~(II) **[**A prorated refund methodology that provides a refund to any student who has completed 60% or less of a course, term, or program within the applicable billing period**] 25% OF A COURSE, TERM, OR PROGRAM WITHIN THE APPLICABLE BILLING PERIOD, A REFUND METHODOLOGY THAT PROVIDES A REFUND IN AN AMOUNT DETERMINED BY THE COMMISSION AND ESTABLISHED BY REGULATION.**~~

~~**(E) AN INSTITUTION OF HIGHER EDUCATION MAY NOT ENROLL A MARYLAND STUDENT UNLESS, BEFORE ENROLLMENT, THE INSTITUTION:**~~

~~**(1) GIVES WRITTEN NOTICE TO THE STUDENT OF THE INSTITUTION'S REFUND POLICY FOR MARYLAND STUDENTS; AND**~~

~~**(2) OBTAINS A WRITTEN ACKNOWLEDGMENT FROM THE STUDENT THAT THE STUDENT HAS RECEIVED AND UNDERSTANDS THE REFUND POLICY.**~~

~~**[**(e)**] (F)** (1) Subject to paragraph (2) of this subsection, the Commission shall require the payment of a fee set by regulation, as a condition of registration.~~

~~(2) The fees charged shall be:~~

~~(i) A fixed amount for all institutions regardless of type, location, or student enrollment; and~~

~~(ii) Set to cover the approximate cost of implementing a system of registration.~~

[(f)**]** ~~**(G)**~~ The Commission shall make public and post on its Web site:

(1) A list of registered institutions of **[**postsecondary**] HIGHER** education that offer fully online distance education programs in the State; and

(2) If the Commission denies or revokes the registration of an institution, the name of the denied or revoked institution.

[(g)**]** ~~**(H)**~~ On or before December 1 each year, the Commission shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly:

(1) The number of institutions of **[**postsecondary**]** **HIGHER** education that apply for registration under this section;

(2) The type and size of the institutions that apply;

(3) The number of institutions approved for registration;

(4) The number of institutions denied registration; **[**and**]**

(5) The number of Maryland students enrolled in institutions required to register under this section**;**

(6) THE RESULTS OF THE REQUIREMENTS OF § 11–202.3 OF THIS SUBTITLE;

(7) THE NUMBER OF INSTITUTIONS FOUND TO BE IN VIOLATION OF THE REQUIREMENT TO REGISTER UNDER THIS SECTION;

(8) ANY FINES IMPOSED, AND IN WHAT AMOUNTS, ON INSTITUTIONS THAT VIOLATE THIS SECTION; AND

(9) ANY FINE REVENUES COLLECTED FROM INSTITUTIONS FOR VIOLATION OF THIS SECTION.

11–202.3.

AT LEAST ~~BIANNUALLY~~ TWICE A YEAR, THE COMMISSION SHALL PERUSE FEDERAL DATABASES AND OTHER INFORMATION SOURCES TO DETERMINE WHETHER THERE ARE MARYLAND STUDENTS WHO ARE ENROLLED IN A FULLY ONLINE DISTANCE EDUCATION PROGRAM OFFERED BY AN INSTITUTION OF HIGHER EDUCATION THAT IS REQUIRED TO REGISTER WITH THE COMMISSION UNDER § 11–202.2 OF THIS SUBTITLE, BUT THAT HAS FAILED TO REGISTER WITH THE COMMISSION.

11–203.

(a) The Commission may require any institution of postsecondary education that is required to obtain a certificate of approval or **AN INSTITUTION OF HIGHER EDUCATION THAT IS** required to register under § 11–202.2 of this subtitle to furnish a performance bond or other form of financial guarantee for either the certificate of approval or the registration to the State conditioned that the institution will:

(1) Perform faithfully all agreements or contracts it makes with its students; and

(2) Comply with this article.

(d) (1) By rule and regulation, the Commission may create and provide for the operation of three separate guaranty funds for:

(iii) Institutions of **[**postsecondary**]** **HIGHER** education that are required to register under § 11–202.2 of this subtitle.

(2) (iii) 1. The fund for institutions of **[**postsecondary**]** **HIGHER** education that are required to register under § 11–202.2 of this subtitle shall be used to reimburse any student at any of these institutions who is entitled to a refund of tuition and fees because the institution has failed to perform faithfully any agreement or contract with the student or failed to comply with any provision of this article.

2. A. After 3 years of claims history during which no claim against the fund has been sustained on behalf of a **MARYLAND** student participating in a fully online distance education program offered in the State by an institution registered under § 11–202.2 of this subtitle, the Commission shall exempt that institution from the requirement to contribute to the fund.

B. Notwithstanding subsubsubparagraph A of this subsubparagraph, an institution shall be required to contribute to the fund following a claim against the fund being sustained on behalf of a **MARYLAND** student participating in a fully online distance education program offered in the State by the institution.

3. Notwithstanding subsubparagraph 2 of this subparagraph, a student who takes courses from an institution exempted from contribution to the fund under subsubparagraph 2 of this subparagraph may make a claim against the fund in accordance with subsubparagraph 1 of this subparagraph.

(3) (i) Each for–profit institution of higher education or private career school that is required to obtain a certificate of approval and, subject to paragraph (2)(iii)2 of this subsection, each institution of **[**postsecondary**]** **HIGHER** education required to register under § 11–202.2 of this subtitle shall pay an annual fee into the appropriate fund.

(iv) The Commission shall deposit into the appropriate fund any penalty assessed against a for–profit institution of higher education, institution of **[**postsecondary**]** **HIGHER** education required to register under § 11–202.2 of this subtitle, or private career school, respectively, under the terms of § 11–204 of this subtitle.

11–204.

(c) (2) (i) Instead of or in addition to reprimanding a for–profit institution of higher education, institution of **[**postsecondary**]** **HIGHER** education required to register under § 11–202.2 of this subtitle, or private career school, or suspending or revoking any approval issued to a for–profit institution of higher education or private career school or registration issued to an institution of **[**postsecondary**]** **HIGHER** education under § 11–202.2 of this subtitle, the Commission may impose a penalty of up to $5,000 for each violation as specified in regulations adopted by the Commission.

(ii) In accordance with the provisions of this section, the Commission shall deposit any penalty assessed against a for–profit institution of higher education, institution of **[**postsecondary**]** **HIGHER** education required to register under § 11–202.2 of this subtitle, or private career school into the respective guaranty fund if such funds exist. Otherwise, all penalties shall be deposited into the General Fund of the State.

(d) (1) In addition to any other sanction imposed under this section, an institution of **[**postsecondary**]** **HIGHER** education that is required to register under § 11–202.2 of this subtitle that willfully and knowingly violates the provisions of this subtitle shall be:

(i) Subject to revocation of registration; and

(ii) Prohibited from enrolling Maryland students in fully online distance education programs in the State.

(3) If an institution is required to register under § 11–202.2 of this subtitle and the institution does not **FILE AN APPLICATION TO** register with the Commission within **[**6**]** **3** months of enrolling its first Maryland student or the institution enrolls additional Maryland students in violation of this section, the institution shall be subject to a fine not exceeding $20,000.

24–707.

(c) For–profit and private nonprofit institutions of higher education, and institutions of **[**postsecondary**]** **HIGHER** education that are required to register under § 11–202.2 of this article shall transfer student–level enrollment data, degree data, and financial aid data for all Maryland residents to the Maryland Longitudinal Data System in accordance with the data security and safeguarding plan developed under § 24–704(g)(6) of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 491

(Senate Bill 512)

AN ACT concerning

Health Care Practitioners – Identification Badge

FOR the purpose of requiring ~~a~~ that certain health care ~~practitioner~~ practitioners, when providing health care to a patient, ~~to~~ wear a badge or other form of identification displaying certain information; providing for ~~a certain exception~~ certain exceptions; ~~requiring each health occupation~~ *authorizing each health occupations* board to adopt certain regulations~~, including provisions for taking certain disciplinary action~~ ~~administrative action for a certain violation~~; authorizing the regulations to provide certain exemptions or allow use of a certain name; *providing that a violation may be reported to a certain health occupations board; authorizing a health occupations board to send certain letters in response to a reported violation;* requiring that certain ~~administrative actions~~ *letters* be kept confidential; defining a certain term; and generally relating to display of identification by health care practitioners.

BY adding to
Article – Health Occupations
Section 1–220
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – Health Occupations

1–220.

(A) IN THIS SECTION, "HEALTH CARE PRACTITIONER" MEANS A PERSON WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THIS ARTICLE TO PROVIDE HEALTH CARE SERVICES IN THE ORDINARY COURSE OF BUSINESS OR PRACTICE OF A PROFESSION.

(B) THIS SECTION APPLIES ONLY TO A HEALTH CARE PRACTITIONER WHO PRACTICES IN:

(1) A FREESTANDING AMBULATORY CARE FACILITY;

(2) A PHYSICIAN'S OFFICE; OR

(3) AN URGENT CARE FACILITY.

~~(B)~~ (C) EXCEPT AS PROVIDED IN SUBSECTION ~~(C)~~ (D) OF THIS SECTION, WHEN PROVIDING HEALTH CARE TO A PATIENT, A HEALTH CARE PRACTITIONER SHALL WEAR A BADGE OR OTHER FORM OF IDENTIFICATION DISPLAYING IN READILY VISIBLE TYPE:

(1) THE HEALTH CARE PRACTITIONER'S NAME; AND

(2) THE ~~TITLE OR ROLE~~ TYPE OF LICENSE OF THE HEALTH CARE PRACTITIONER.

~~(C)~~ (D) A BADGE OR OTHER FORM OF IDENTIFICATION IS NOT REQUIRED TO BE WORN IF:

(1) (I) THE PATIENT IS BEING SEEN IN THE OFFICE OF A HEALTH CARE PRACTITIONER WHO IS A SOLO PRACTITIONER; AND

~~(2)~~ (II) THE NAME AND LICENSE OF THE HEALTH CARE PRACTITIONER CAN BE READILY DETERMINED BY THE PATIENT FROM A POSTED LICENSE OR SIGN IN THE OFFICE; OR

(2) THE PATIENT IS BEING SEEN IN:

(I) AN OPERATING ROOM OR OTHER SETTING WHERE SURGICAL OR OTHER INVASIVE PROCEDURES ARE PERFORMED; OR

(II) ANY OTHER SETTING WHERE MAINTAINING A STERILE ENVIRONMENT IS MEDICALLY NECESSARY.

~~(D)~~ (E) (1) EACH HEALTH ~~OCCUPATION BOARD SHALL~~ *OCCUPATIONS BOARD MAY* ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

~~(2) THE REGULATIONS SHALL INCLUDE PROVISIONS FOR TAKING DISCIPLINARY ADMINISTRATIVE ACTION AGAINST A HEALTH CARE PRACTITIONER WHO VIOLATES THIS SECTION AS FOLLOWS:~~

~~(I) FOR A FIRST OFFENSE, ISSUE A WARNING; AND~~

~~(II) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPOSE A FINE NOT TO EXCEED $25 FOR EACH VIOLATION.~~

~~(3)~~ ~~(I)~~ *(2)* **THE REGULATIONS, WHEN NECESSARY FOR THE PATIENT OR HEALTH CARE PRACTITIONER'S SAFETY OR FOR THERAPEUTIC CONCERNS MAY:**

~~1.~~ *(I)* **PROVIDE EXEMPTIONS FROM WEARING A BADGE OR OTHER FORM OF IDENTIFICATION; OR**

~~2.~~ *(II)* **ALLOW USE OF THE HEALTH CARE PRACTITIONER'S FIRST NAME ONLY.**

~~(II) THE REGULATIONS SHALL SPECIFY THE RATIONALE FOR AND SITUATIONS IN WHICH AN EXEMPTION OR USE OF THE FIRST NAME ONLY IS PERMISSIBLE.~~

(3) A VIOLATION MAY BE REPORTED TO THE HEALTH OCCUPATIONS BOARD THAT LICENSED OR CERTIFIED THE HEALTH CARE PRACTITIONER.

(4) IN RESPONSE TO A REPORTED VIOLATION, A HEALTH OCCUPATIONS BOARD MAY SEND AN ADVISORY LETTER OR A LETTER OF EDUCATION TO THE HEALTH CARE PRACTITIONER.

(F) AN ~~ADMINISTRATIVE ACTION TAKEN BY A HEALTH OCCUPATION~~ ***ADVISORY LETTER OR LETTER OF EDUCATION SENT BY A HEALTH OCCUPATIONS*** **BOARD UNDER THIS SECTION IS CONFIDENTIAL AND MAY NOT BE PUBLICLY REPORTED AS A DISCIPLINARY ACTION.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 492

(Senate Bill 524)

AN ACT concerning

Wetlands and Riparian Rights – Licenses and Permits for Nonwater–Dependent Projects on State or Private Wetlands

FOR the purpose of altering the requirements for the issuance of a certain license, a certain permit, and a certain building permit for certain nonwater–dependent

projects located on State ~~wetlands~~ or private wetlands; specifically authorizing the issuance of a certain license, a certain permit, and a certain building permit for certain renewable energy systems under certain circumstances; requiring the Board of Public Works to establish an annual compensation rate for certain nonwater–dependent projects in accordance with certain requirements; authorizing the Board of Public Works to consider certain factors when determining a certain percentage for the calculation of the annual compensation rate for certain nonwater–dependent projects; providing for the application and construction of this Act; authorizing the Board of Public Works to require the payment of certain compensation under a certain circumstance; ~~authorizing a person to apply to the Department of the Environment for a certain license or a certain permit for certain nonwater–dependent projects that were in existence and did not have an application pending before the Board of Public Works or the Department on or before a certain date if the application is filed on or before a certain date under certain circumstances; requiring the Department to evaluate certain applications in accordance with certain requirements; requiring a person to remove unauthorized nonwater–dependent projects under certain circumstances; establishing the intent of the General Assembly;~~ defining certain terms; and generally relating to nonwater–dependent projects on State or private wetlands.

BY repealing and reenacting, with amendments,
Article – Environment
Section 16–101, 16–104, and 16–205
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–1808.4
Annotated Code of Maryland
(2012 Replacement Volume)

Preamble

WHEREAS, It is essential to the health and vitality of the Chesapeake and Atlantic Coastal Bays that all State waters, including State and private ~~tidal~~ wetlands, be optimally protected through the licensing and permitting programs of the Board of Public Works and the Department of the Environment; and

WHEREAS, It has been long recognized under law that the location of nonwater–dependent projects, such as restaurants, shops, offices, and other commercial uses, in, on, or over State or private ~~tidal~~ wetlands does not generally serve the preservation of Maryland's prized shoreline resources, including the Critical Area Buffer; and

WHEREAS, It has also been long recognized that the Board of Public Works and the Department of the Environment have the authority to license or permit small nonwater–dependent projects where there is a reasonable basis to anticipate little or no environmental harm; and

WHEREAS, Many of the current requirements regarding the location of nonwater–dependent projects have become outdated, leaving an ineffective statutory patchwork that no longer promotes the best interests of the State; and

~~WHEREAS, Over the course of the past two decades a number of nonwater–dependent commercially based projects have been located on piers in State and private tidal wetlands, often without the benefit of a license or permit and the environmental expertise involved in the application and review process; and~~

WHEREAS, Given the significant evolution of modern technology within the past few years and the rise of national energy needs, the installation of small–scale renewable energy systems on piers is now feasible and productive, and the time has come to move toward accommodation of the increasing demand for private use of solar, geothermal, and wind–powered sources along the water's edge; and

WHEREAS, Rather than respond to these growing trends on a piecemeal basis, it is the shared intent of the General Assembly, the Department of the Environment, and the Critical Area Commission that the evaluation of nonwater–dependent projects be modernized and administered more consistently and comprehensively than is possible under current law; and

WHEREAS, This preservation goal is best accomplished by a balance of science–based criteria with the application of local land use discretion, all the while providing for due consideration of the State's goals regarding economic development and public access to our water resources; and

WHEREAS, It is the purpose of this legislation to establish two categories of nonwater–dependent projects, the first related to commercial use and the second focused on small–scale renewable energy systems, both of which are designed to prevent and minimize environmental harm along the waterfront; and

WHEREAS, This legislation also establishes reasonable and appropriate compensation rates applicable to commercial operations that use State wetlands for private benefit; now, therefore,

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

Article – Environment

16–101.

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

(b) "Board" means the Board of Public Works.

(c) "County" includes Baltimore City unless otherwise indicated.

(d) "Department" means the Department of the Environment.

(e) "Dredging" means the removal or displacement by any means of soil, sand, gravel, shells, or other material, whether or not of intrinsic value, from any State or private wetlands.

(f) (1) "Filling" means:

(i) The displacement of navigable water by the depositing into State or private wetlands of soil, sand, gravel, shells, or other materials; or

(ii) The artificial alteration of navigable water levels by any physical structure, drainage ditch, or otherwise.

(2) "Filling" includes storm drain projects which flow directly into tidal waters of the State.

(3) "Filling" does not include:

(i) Drainage of agricultural land;

(ii) In–place replacement or repair of shore erosion control structures using substantially similar materials and construction design; or

(iii) Planting of wetlands vegetation when no grading or fill in State or private wetlands is necessary.

(g) "Landward boundary of wetlands" means the common boundary between wetlands, as defined in this section, and lands not included within the definitions of wetlands appearing in this section.

(h) "Licensed marine contractor" has the meaning stated in Title 17, Subtitle 3 of this article.

(I) (1) "NONWATER–DEPENDENT PROJECT" MEANS A TEMPORARY OR PERMANENT STRUCTURE THAT, BY REASON OF ITS INTRINSIC NATURE, USE, OR OPERATION, DOES NOT REQUIRE LOCATION IN, ON, OR OVER STATE OR PRIVATE ~~TIDAL~~ WETLANDS.

(2) "NONWATER–DEPENDENT PROJECT" INCLUDES:

(I) A DWELLING UNIT ON A PIER;

(II) A RESTAURANT, A SHOP, AN OFFICE, OR ANY OTHER COMMERCIAL BUILDING OR USE ON A PIER;

(III) A TEMPORARY OR PERMANENT ROOF OR COVERING ON A PIER;

(IV) A PIER USED TO SUPPORT A NONWATER–DEPENDENT USE; AND

(V) A SMALL–SCALE RENEWABLE ENERGY SYSTEM ON A PIER, INCLUDING:

1. A SOLAR ENERGY SYSTEM AND ITS PHOTOVOLTAIC CELLS, SOLAR PANELS, OR OTHER NECESSARY EQUIPMENT;

2. A GEOTHERMAL ENERGY SYSTEM AND ITS GEOTHERMAL HEAT EXCHANGER OR OTHER NECESSARY EQUIPMENT; AND

3. A WIND ENERGY SYSTEM AND ITS WIND TURBINE, TOWER, BASE, OR OTHER NECESSARY EQUIPMENT.

(3) "NONWATER–DEPENDENT PROJECT" DOES NOT INCLUDE:

(I) A FUEL PUMP OR OTHER FUEL–DISPENSING EQUIPMENT ON A PIER;

(II) A SANITARY SEWAGE PUMP OR OTHER WASTEWATER REMOVAL EQUIPMENT ON A PIER; OR

(III) AN OFFICE ON A PIER FOR MANAGING MARINA OPERATIONS, INCLUDING MONITORING VESSEL TRAFFIC, REGISTERING VESSELS, PROVIDING DOCKING SERVICES, AND HOUSING ELECTRICAL OR EMERGENCY EQUIPMENT RELATED TO MARINA OPERATIONS.

[(i)**] (J)** "Person" means any natural person, partnership, joint–stock company, unincorporated association or society, the federal government, the State, any unit of the State, a political subdivision, or other corporation of any type.

[(j)**] (K)** (1) "Pier" means any pier, wharf, dock, walkway, bulkhead, breakwater, piles, or other similar structure.

(2) "Pier" does not include any structure on pilings or stilts that was originally constructed beyond the landward boundaries of State or private wetlands.

[(k)**] (L)** (1) "Private wetlands" means any land not considered "State wetland" bordering on or lying beneath tidal waters, which is subject to regular or periodic tidal action and supports aquatic growth.

(2) "Private wetlands" includes wetlands, transferred by the State by a valid grant, lease, patent, or grant confirmed by Article 5 of the Maryland Declaration of Rights, to the extent of the interest transferred.

[(l)**] (M)** (1) "Public notice" means the public notice and public informational hearing procedures established in § 5–204(b) through (e) of this article.

(2) "Public notice" does not mean notice as provided for in § 16–303 of this title.

[(m)**] (N)** "Regular or periodic tidal action" means the rise and fall of the sea produced by the attraction of the sun and moon uninfluenced by wind or any other circumstance.

[(n)**] (O)** "Secretary" means the Secretary of the Environment.

[(o)**] (P)** "State wetlands" means any land under the navigable waters of the State below the mean high tide, affected by the regular rise and fall of the tide. Wetlands of this category which have been transferred by the State by valid grant, lease, patent or grant confirmed by Article 5 of the Maryland Declaration of Rights shall be considered "private wetland" to the extent of the interest transferred.

16–104.

(a) This section does not apply to **[**any**] A NONWATER–DEPENDENT** project **[**involving the construction of a dwelling unit or other non–water dependent structure on a pier**]** located on State or private wetlands in Prince George's County.

(b) (1) Except as provided in paragraphs (2)**[**,**] AND** (3)**[**, and (4)**]** of this subsection**[**,**] AND** notwithstanding any other provision of law, the Board of Public Works may not issue a license **[**under this title for any**] TO AUTHORIZE A NONWATER–DEPENDENT** project **[**involving the construction of a dwelling unit or other non–water dependent structure on a pier**]** located on State wetlands.

[(2) This section does not prohibit or restrict the Board of Public Works from issuing a license for a project involving the construction of a dwelling unit or other non–water dependent structure on a pier located within the Critical Area that was issued a permit by the Secretary on or before January 1, 1989.

(3) The Board of Public Works may issue a license for a project involving the construction of a non–water dependent structure on a pier located on State wetlands if:

(i) The project is located in a marina owned by the State, a county, or a municipal corporation;

(ii) The project will enhance maritime transportation, the preservation of historic lighthouses, or the construction of historically accurate replicas;

(iii) The project is approved by local planning and zoning authorities;

(iv) The project is located in a priority funding area as designated under Title 5, Subtitle 7B of the State Finance and Procurement Article; and

(v) The project is located in an area that has been excluded from a local critical area program adopted or approved by the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays under § 8–1807(c)(1)(i)1 of the Natural Resources Article.

(4) The Board of Public Works may issue a license for a project involving the construction of a dwelling unit or other non–water dependent structure on a pier located on State wetlands if:

(i) The project is constructed on a pier in existence as of December 1, 1985 that can be verified by a Department of Natural Resources aerial photograph dated 1985, accompanied by a map of the area;

(ii) The project does not require an expansion of the pier greater than 25% of the area of piers or dry docks removed on the same property; however, additional expansion may be allowed in the amount of 10% of the water coverage eliminated by removing complete piers from the same or other properties. If the horizontal surface area of a pier to be removed is not intact but the remaining pilings identify its previous size, that area may be used in determining the additional expansion permitted. The project expansion based on water coverage eliminated can be considered only if all nonfunctional piers on the property are removed except for the project pier. The total expansion may not exceed 35% of the original size of the piers and dry docks removed;

(iii) The project is approved by local planning and zoning authorities;

(iv) The project is located in an intensely developed area, as designated in programs adopted or approved by the Critical Area Commission for the

Chesapeake and Atlantic Coastal Bays under Title 8, Subtitle 18 of the Natural Resources Article; and

(v) The project allows public access to tidal waters, if appropriate.

(5) Except for projects under paragraph (2) of this subsection, and in addition to all other provisions of this section, all projects involving the construction of a dwelling unit or other non–water dependent facility on a pier located on State or private wetlands within the Chesapeake Bay Critical Area may not be issued a wetlands permit unless:

(i) The applicant demonstrates that the construction and operation of the project will not have a long term adverse effect on the water quality of the adjacent body of water in accordance with standards established by the local jurisdiction's critical areas program;

(ii) The applicant is required to improve the water quality of existing stormwater runoff from the project site into adjoining waters in accordance with standards established by the local jurisdiction's critical areas program; and

(iii) The applicant demonstrates that any sewer lines or other utility lines extended for the pier will not adversely affect the water quality of adjoining waters in accordance with standards established by the local jurisdiction's critical areas program.**]**

(2) THE BOARD OF PUBLIC WORKS MAY ISSUE A LICENSE TO AUTHORIZE A NONWATER–DEPENDENT PROJECT LOCATED ON STATE WETLANDS IF THE PROJECT:

(I) 1. INVOLVES A COMMERCIAL ACTIVITY THAT IS PERMITTED AS A SECONDARY OR ACCESSORY USE TO A PERMITTED PRIMARY COMMERCIAL USE;

2. IS NOT LOCATED ON A PIER THAT IS ATTACHED TO RESIDENTIALLY, INSTITUTIONALLY, OR INDUSTRIALLY USED PROPERTY;

3. AVOIDS AND MINIMIZES IMPACTS TO STATE <u>OR PRIVATE</u> WETLANDS AND OTHER AQUATIC RESOURCES;

4. IS LOCATED IN:

A. AN INTENSELY DEVELOPED AREA AND THE PROJECT IS AUTHORIZED UNDER A PROGRAM AMENDMENT TO A LOCAL JURISDICTION'S CRITICAL AREA PROGRAM APPROVED ON OR AFTER JULY 1, 2013, IF THE APPROVED PROGRAM AMENDMENT INCLUDES NECESSARY

CHANGES TO THE LOCAL JURISDICTION'S ZONING, SUBDIVISION, AND OTHER ORDINANCES SO AS TO BE CONSISTENT WITH OR MORE RESTRICTIVE THAN THE REQUIREMENTS PROVIDED UNDER THIS PARAGRAPH; OR

B. AN AREA THAT HAS BEEN EXCLUDED FROM A LOCAL CRITICAL AREA PROGRAM IF THE EXCLUSION HAS BEEN ADOPTED OR APPROVED BY THE CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS;

5. IS APPROVED BY THE LOCAL PLANNING AND ZONING AUTHORITIES AFTER THE LOCAL JURISDICTION'S PROGRAM AMENDMENT UNDER ITEM 4A OF THIS ITEM, IF APPLICABLE, HAS BEEN APPROVED;

6. ALLOWS OR ENHANCES PUBLIC ACCESS TO STATE WETLANDS;

7. DOES NOT EXPAND BEYOND THE LENGTH, WIDTH, OR CHANNELWARD ENCROACHMENT OF THE PIER ON WHICH THE PROJECT IS CONSTRUCTED;

8. HAS A HEIGHT OF UP TO 18 FEET UNLESS THE PROJECT IS LOCATED AT A MARINA AND THE SECRETARY RECOMMENDS ADDITIONAL HEIGHT;

9. IS UP TO 1,000 SQUARE FEET IN TOTAL AREA;

10. IS NOT LOCATED IN, ON, OR OVER VEGETATED TIDAL WETLANDS, SUBMERGED AQUATIC VEGETATION, A NATURAL OYSTER BAR, A PUBLIC SHELLFISH FISHERY AREA, A YATES BAR, OR AN AREA WITH RARE, THREATENED, OR ENDANGERED SPECIES OR SPECIES IN NEED OF CONSERVATION; AND

11. DOES NOT ADVERSELY IMPACT A FISH SPAWNING OR NURSERY AREA OR AN HISTORIC WATERFOWL STAGING AREA; OR

(II) 1. IS LOCATED ON A PIER THAT WAS IN EXISTENCE ON OR BEFORE DECEMBER 31, 2012;

2. SATISFIES ALL OF THE REQUIREMENTS UNDER ITEM (I)1 THROUGH 8 OF THIS PARAGRAPH; AND

3. IF APPLICABLE, HAS A TEMPORARY OR PERMANENT ROOF OR COVERING THAT IS UP TO 1,000 SQUARE FEET IN TOTAL AREA.

(3) (I) THE BOARD OF PUBLIC WORKS MAY ISSUE A LICENSE TO AUTHORIZE A NONWATER–DEPENDENT PROJECT FOR A SMALL–SCALE RENEWABLE ENERGY SYSTEM ON A PIER LOCATED ON STATE WETLANDS IF THE PROJECT:

1. INVOLVES THE INSTALLATION OR PLACEMENT OF A SMALL–SCALE RENEWABLE ENERGY SYSTEM THAT IS PERMITTED AS A SECONDARY OR ACCESSORY USE ON A PIER THAT IS AUTHORIZED UNDER THIS TITLE;

2. AVOIDS AND MINIMIZES IMPACTS TO STATE <u>OR PRIVATE</u> WETLANDS AND OTHER AQUATIC RESOURCES;

3. IS LOCATED IN:

A. THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA AND THE PROJECT IS AUTHORIZED UNDER A PROGRAM AMENDMENT TO A LOCAL JURISDICTION'S CRITICAL AREA PROGRAM APPROVED ON OR AFTER JULY 1, 2013, IF THE APPROVED PROGRAM AMENDMENT INCLUDES NECESSARY CHANGES TO THE LOCAL JURISDICTION'S ZONING, SUBDIVISION, AND OTHER ORDINANCES SO AS TO BE CONSISTENT WITH OR MORE RESTRICTIVE THAN THE REQUIREMENTS PROVIDED UNDER THIS PARAGRAPH; OR

B. AN AREA THAT HAS BEEN EXCLUDED FROM A LOCAL CRITICAL AREA PROGRAM IF THE EXCLUSION HAS BEEN ADOPTED OR APPROVED BY THE CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS;

4. IS APPROVED BY THE LOCAL PLANNING AND ZONING AUTHORITIES AFTER THE LOCAL JURISDICTION'S PROGRAM AMENDMENT UNDER ITEM 3A OF THIS SUBPARAGRAPH, IF APPLICABLE, HAS BEEN APPROVED;

5. IS NOT LOCATED IN, ON, OR OVER VEGETATED TIDAL WETLANDS, SUBMERGED AQUATIC VEGETATION, A NATURAL OYSTER BAR, A PUBLIC SHELLFISH FISHERY AREA, A YATES BAR, OR AN AREA WITH RARE, THREATENED, OR ENDANGERED SPECIES OR SPECIES IN NEED OF CONSERVATION; AND

6. DOES NOT ADVERSELY IMPACT A FISH SPAWNING OR NURSERY AREA OR AN HISTORIC WATERFOWL STAGING AREA.

(II) A LICENSE ISSUED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY INCLUDE THE INSTALLATION OR PLACEMENT OF:

1. A SOLAR ENERGY SYSTEM ATTACHED TO A PIER IF THE DEVICE OR EQUIPMENT ASSOCIATED WITH THAT SYSTEM DOES NOT EXTEND MORE THAN:

A. 4 FEET ABOVE OR 18 INCHES BELOW THE DECK OF THE PIER; OR

B. 1 FOOT BEYOND THE LENGTH OR WIDTH OF THE PIER;

2. A SOLAR ENERGY SYSTEM ATTACHED TO A PILING IF THERE IS ONLY ONE SOLAR PANEL PER BOAT SLIP;

3. A SOLAR ENERGY SYSTEM ATTACHED TO A BOATHOUSE ROOF IF THE DEVICE OR EQUIPMENT ASSOCIATED WITH THAT SYSTEM DOES NOT EXTEND BEYOND THE LENGTH, WIDTH, OR HEIGHT OF THE BOATHOUSE ROOF;

4. A CLOSED–LOOP GEOTHERMAL HEAT EXCHANGER UNDER A PIER IF THE GEOTHERMAL HEAT EXCHANGER OR ANY ASSOCIATED DEVICES OR EQUIPMENT DO NOT:

A. EXTEND BEYOND THE LENGTH, WIDTH, OR CHANNELWARD ENCROACHMENT OF THE PIER;

B. DELETERIOUSLY ALTER LONG SHORE DRIFT; OR

C. CAUSE SIGNIFICANT INDIVIDUAL OR CUMULATIVE THERMAL IMPACTS TO AQUATIC RESOURCES; OR

5. A WIND ENERGY SYSTEM ATTACHED TO A PIER IF THERE IS ONLY ONE WIND ENERGY SYSTEM PER PIER FOR WHICH:

A. THE HEIGHT FROM THE DECK OF THE PIER TO THE BLADE EXTENDED AT ITS HIGHEST POINT IS UP TO 12 FEET;

B. THE ROTOR DIAMETER OF THE WIND TURBINE IS UP TO 4 FEET; AND

C. THE SETBACKS OF THE WIND ENERGY SYSTEM FROM THE NEAREST PROPERTY LINE AND FROM THE CHANNELWARD EDGE OF THE PIER TO WHICH THAT SYSTEM IS ATTACHED ARE AT LEAST 1.5 TIMES THE TOTAL HEIGHT OF THE SYSTEM FROM ITS BASE TO THE BLADE EXTENDED AT ITS HIGHEST POINT.

(c) (1) Except as provided in **[**paragraphs (2) and (3)**]** **PARAGRAPH (2)** of this subsection**[**,**]** **AND** notwithstanding any other provision of law, the Secretary may not issue a permit **[**under this title for any**]** **TO AUTHORIZE A NONWATER–DEPENDENT** project **[**involving the construction of a dwelling unit or other non–water dependent structure on a pier**]** located on private wetlands.

[(2) The Secretary may issue a permit for a project involving the construction of a non–water dependent structure on a pier located on private wetlands if:

(i) The project is located in a marina owned by the State, a county, or a municipal corporation;

(ii) The project will enhance maritime transportation, the preservation of historic lighthouses, or the construction of historically accurate replicas;

(iii) The project is approved by local planning and zoning authorities;

(iv) The project is located in a priority funding area as designated under Title 5, Subtitle 7B of the State Finance and Procurement Article; and

(v) The project is located in an area that has been excluded from a local critical area program adopted or approved by the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays under § 8–1807(c)(1)(i)1 of the Natural Resources Article.

(3) The Secretary may issue a permit for a project involving the construction of a dwelling unit or other non–water dependent structure on a pier located on private wetlands if:

(i) The project is constructed on a pier in existence as of December 1, 1985 that can be verified by a Department of Natural Resources aerial photograph dated 1985, accompanied by a map of the area;

(ii) The project does not require an expansion of the pier greater than 25% of the area of piers or dry docks removed on the same property; however,

additional expansion may be allowed in the amount of 10% of the water coverage eliminated by removing complete piers from the same or other properties. If the horizontal surface area of a pier to be removed is not intact but the remaining pilings identify its previous size, that area may be used in determining the additional expansion permitted. The project expansion based on water coverage eliminated can be considered only if all nonfunctional piers on the property are removed except for the project pier. The total expansion may not exceed 35% of the original size of the piers and dry docks removed;

(iii) The project is approved by local planning and zoning authorities;

(iv) The project is located in an intensely developed area, as designated in programs adopted or approved by the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays under Title 8, Subtitle 18 of the Natural Resources Article; and

(v) The project allows public access to tidal waters, if appropriate.**]**

(2) EXCEPT FOR THE PUBLIC ACCESS REQUIREMENT UNDER SUBSECTION (B)(2)(I)6 OF THIS SECTION, THE SECRETARY MAY ISSUE A PERMIT TO AUTHORIZE A NONWATER–DEPENDENT PROJECT LOCATED ON PRIVATE WETLANDS IF THE PROJECT SATISFIES ALL OF THE REQUIREMENTS UNDER SUBSECTION (B)(2) OR (3) OF THIS SECTION.

16–205.

(a) The Board may require as a condition to issuance of a wetlands license that compensation be made to the State, of a kind and in an amount deemed appropriate by the Board.

(b) (1) The Board shall establish a compensation rate for cables, pipelines, or similar structures in accordance with this subsection.

(2) The minimum compensation rate:

(i) Is $2.50 per linear foot per year for cables, pipelines, or similar structures;

(ii) Applies to each individual cable, pipeline, or similar structure; and

(iii) Applies to all new and existing authorizations beginning July 2, 2012.

(3) The Board may:

(i) Increase the compensation rate as considered appropriate; and

(ii) Adjust the compensation rate to reflect changes in the Consumer Price Index as published by the Bureau of Labor Statistics of the U.S. Department of Labor or by an appropriate method selected by the Board.

(C) (1) THE BOARD SHALL ESTABLISH AN ANNUAL COMPENSATION RATE FOR NONWATER–DEPENDENT PROJECTS AUTHORIZED UNDER § 16–104(B)(2) OF THIS TITLE.

(2) THE BOARD~~:~~

~~(I)~~ ~~1.~~ ~~SHALL~~ SHALL ASSESS ~~A MINIMUM~~ AN ANNUAL COMPENSATION RATE FOR A NONWATER–DEPENDENT PROJECT THAT IS:

~~A.~~ (I) BASED ON THE MOST RECENT DATA PROVIDED BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION IN THE ASSESSMENT RECORD FOR THE REAL PROPERTY TO WHICH THE NONWATER–DEPENDENT PROJECT IS ATTACHED; AND

~~B.~~ (II) COMPUTED BY ~~MULTIPLYING~~:

1. MULTIPLYING THE TOTAL SQUARE FOOTAGE OF THE NONWATER–DEPENDENT PROJECT BY A FRACTION, THE DENOMINATOR OF WHICH IS THE TOTAL SQUARE FOOTAGE OF THE LAND AREA OF THE REAL PROPERTY TO WHICH THE NONWATER–DEPENDENT PROJECT IS ATTACHED, AND THE NUMERATOR OF WHICH IS THE ASSESSED LAND VALUE OF THE REAL PROPERTY TO WHICH THE NONWATER–DEPENDENT PROJECT IS ATTACHED; AND

2. MULTIPLYING THE RATE CALCULATED UNDER ITEM 1 OF THIS ITEM BY A PERCENTAGE CONSIDERED APPROPRIATE BY THE BOARD NOT TO EXCEED 100%.

(3) IN DETERMINING THE APPROPRIATE PERCENTAGE UNDER PARAGRAPH (2)(II)2 OF THIS SUBSECTION, THE BOARD MAY CONSIDER:

(I) THE EXTENT TO WHICH THE NONWATER–DEPENDENT PROJECT IS USED ON A SEASONAL OR YEAR–ROUND BASIS;

(II) THE EXTENT OF THE ECONOMIC IMPACT OF THE NONWATER–DEPENDENT PROJECT ON THE LOCAL JURISDICTION;

(III) THE NATURE AND EXTENT OF THE ENVIRONMENTAL IMPACT OF THE NONWATER–DEPENDENT PROJECT;

(IV) THE EXTENT TO WHICH THE NONWATER–DEPENDENT PROJECT AND, IF APPLICABLE, ITS ROOF OR COVERING, ARE PERMANENT OR TEMPORARY;

(V) ANY HISTORY OF VIOLATION OF THIS TITLE BY THE LICENSEE;

(VI) ANY REAL PROPERTY LEASE RATES FOR THE AREA FOR A COMMERCIAL ACTIVITY SIMILAR TO THE LICENSEE'S OR ANY REAL PROPERTY APPRAISALS OBTAINED BY THE LICENSEE; AND

(VII) ANY OTHER FACTOR THAT THE BOARD CONSIDERS RELEVANT.

(4) ~~MAY~~ THE BOARD MAY PERIODICALLY RECALCULATE THE ~~MINIMUM~~ ANNUAL COMPENSATION RATE TO REFLECT ~~ANY~~:

(I) ANY CHANGE TO THE DATA PROVIDED BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION UNDER ~~ITEM 1 OF THIS ITEM; OR~~ PARAGRAPH (2)(I) OF THIS SUBSECTION; OR

(II) A CHANGE IN ANY FACTOR THE BOARD CONSIDERS UNDER PARAGRAPH (3) OF THIS SUBSECTION

~~(II) SHALL ASSESS AN ANNUAL COMPENSATION RATE FOR A NONWATER–DEPENDENT PROJECT THAT IS MORE THAN THE MINIMUM RATE CALCULATED UNDER ITEM (I)1 OF THIS PARAGRAPH~~.

[(c)**] (D)** Monetary compensation received by the State in conjunction with a wetlands license may not be applied to the State Annuity Bond Fund Account.

[(d)**] (E)** (1) There is created a special fund, known as the Tidal Wetlands Compensation Fund.

(2) The following money shall be deposited in the Tidal Wetlands Compensation Fund:

(i) Any monetary payment by a licensee in lieu of creating, restoring, or enhancing tidal wetlands that is required by the Department or the Board as a condition of a permit or license;

(ii) Any penalty imposed by a court in accordance with this title; and

(iii) Any penalty imposed by the Department under this title.

[(e)**] (F)** Funds in the Tidal Wetlands Compensation Fund may be appropriated only for the creation, restoration, or enhancement of tidal wetlands, including:

(1) Acquisition of land or easements;

(2) Maintenance of mitigation sites;

(3) Purchase of credits in mitigation banks;

(4) Management of invasive or nuisance species identified by the Department;

(5) Cost sharing assistance to landowners in the management and control of phragmites under Title 8, Subtitle 21 of the Natural Resources Article; and

(6) Contractual services necessary to accomplish the intent of this subsection.

[(f)**] (G)** Funds credited and any interest accrued to the Fund:

(1) Shall remain available until expended; and

(2) May not revert to the General Fund under any other provision of law.

[(g)**] (H)** All monetary compensation paid to the State in conjunction with a wetlands license other than that specified under subsection **[**(d)(2)**] (E)(2)** of this section shall be deposited in the Wetlands and Waterways Program Fund established under § 5–203.1 of this article.

Article – Natural Resources

8–1808.4.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "NONWATER–DEPENDENT PROJECT" MEANS A TEMPORARY OR PERMANENT STRUCTURE THAT, BY REASON OF ITS INTRINSIC

NATURE, USE, OR OPERATION, DOES NOT REQUIRE LOCATION IN, ON, OR OVER STATE OR PRIVATE WETLANDS.

(II) "NONWATER–DEPENDENT PROJECT" INCLUDES:

~~(I)~~ 1. A DWELLING UNIT ON A PIER;

~~(II)~~ 2. A RESTAURANT, A SHOP, AN OFFICE, OR ANY OTHER COMMERCIAL BUILDING OR USE ON A PIER;

~~(III)~~ 3. A TEMPORARY OR PERMANENT ROOF OR COVERING ON A PIER;

~~(IV)~~ 4. A PIER USED TO SUPPORT A NONWATER–DEPENDENT USE; AND

~~(V)~~ 5. A SMALL–SCALE RENEWABLE ENERGY SYSTEM ON A PIER, INCLUDING:

~~1.~~ A. A SOLAR ENERGY SYSTEM AND ITS PHOTOVOLTAIC CELLS, SOLAR PANELS, OR OTHER NECESSARY EQUIPMENT;

~~2.~~ B. A GEOTHERMAL ENERGY SYSTEM AND ITS GEOTHERMAL HEAT EXCHANGER OR OTHER NECESSARY EQUIPMENT; AND

~~3.~~ C. A WIND ENERGY SYSTEM AND ITS WIND TURBINE, TOWER, BASE, OR OTHER NECESSARY EQUIPMENT.

(III) "NONWATER–DEPENDENT PROJECT" DOES NOT INCLUDE:

1. A FUEL PUMP OR OTHER FUEL–DISPENSING EQUIPMENT ON A PIER;

2. A SANITARY SEWAGE PUMP OR OTHER WASTEWATER REMOVAL EQUIPMENT ON A PIER; OR

3. AN OFFICE ON A PIER FOR MANAGING MARINA OPERATIONS, INCLUDING MONITORING VESSEL TRAFFIC, REGISTERING VESSELS, PROVIDING DOCKING SERVICES, AND HOUSING ELECTRICAL OR EMERGENCY EQUIPMENT RELATED TO MARINA OPERATIONS.

(3) (I) "PIER" MEANS ANY PIER, WHARF, DOCK, WALKWAY, BULKHEAD, BREAKWATER, PILES, OR OTHER SIMILAR STRUCTURE.

(II) "PIER" DOES NOT INCLUDE ANY STRUCTURE ON PILINGS OR STILTS THAT WAS ORIGINALLY CONSTRUCTED BEYOND THE LANDWARD BOUNDARIES OF STATE OR PRIVATE WETLANDS.

[(a)**] (B)** This section does not apply to **[**any**] A NONWATER–DEPENDENT** project **[**involving the construction of a dwelling unit or other non–water dependent structure on a pier**]** located on State or private wetlands within the Critical Area in Prince George's County.

[(b) (1) In this section, "pier" means any pier, wharf, dock, walkway, bulkhead, breakwater, piles, or other similar structure.

(2) "Pier" does not include any structure on pilings or stilts that was originally constructed beyond the landward boundaries of State or private wetlands.

(c) This section applies notwithstanding:

(1) Any other provision of this subtitle; and

(2) Any criteria or regulation adopted by the Commission under this subtitle.

(d) This section preempts any other requirement concerning piers in the Critical Area.

(e)**] (C)** (1) Except as provided in paragraphs (2)**[**,**] AND** (3)**[**, and (4)**]** of this subsection **AND NOTWITHSTANDING ANY OTHER PROVISION OF LAW**, a local jurisdiction may not issue a building permit **[**for any**] OR ANY OTHER APPROVAL UNDER THIS SUBTITLE TO AUTHORIZE A NONWATER–DEPENDENT** project **[**involving the construction of a dwelling unit or other non–water dependent structure on a pier**]** located on State or private wetlands within the Critical Area.

[(2) This section does not prohibit or restrict a local jurisdiction from issuing a building permit for a project involving the construction of a dwelling unit or other non–water dependent structure on a pier located on State or private wetlands within the Critical Area that was issued a permit by the Secretary on or before January 1, 1989.

(3) A local jurisdiction may issue a building permit for a project involving the construction of a dwelling unit or other non–water dependent structure on a pier located on State or private wetlands within the Critical Area if:

(i) The project is constructed on a pier in existence as of December 1, 1985 that can be verified by a Department of Natural Resources aerial photograph dated 1985, accompanied by a map of the area;

(ii) The project does not require an expansion of the pier greater than 25% of the area of piers or dry docks removed on the same property; however, additional expansion may be allowed in the amount of 10% of the water coverage eliminated by removing complete piers from the same or other properties. If the horizontal surface area of a pier to be removed is not intact but the remaining pilings identify its previous size, that area may be used in determining the additional expansion permitted. The project expansion based on water coverage eliminated can be considered only if all nonfunctional piers on the property are removed except for the project pier. The total expansion may not exceed 35% of the original size of the piers and dry docks removed;

(iii) The project is approved by local planning and zoning authorities; and

(iv) The project is located in an intensely developed area, as designated in programs adopted or approved by the Critical Area Commission under this subtitle.

(4) A local jurisdiction may issue a building permit for the repair of an existing dwelling unit or other non–water dependent structure on a pier located on State or private wetlands within the Critical Area.

(5) Except for projects under paragraph (2) of this subsection, and in addition to all other provisions of this section, all projects involving the construction of a dwelling unit or other non–water dependent facility on a pier located on State or private wetlands within the Critical Area may not be issued a building permit unless:

(i) The applicant demonstrates that the construction and operation of the project will not have a long term adverse effect on the water quality of the adjacent body of water in accordance with standards established by the local jurisdiction's critical areas program;

(ii) The applicant is required to improve the water quality of existing stormwater runoff from the project site into adjoining waters in accordance with standards established by the local jurisdiction's critical areas program; and

(iii) The applicant demonstrates that any sewer lines or other utility lines extended for the pier will not adversely affect the water quality of adjoining waters in accordance with standards established by the local jurisdiction's critical areas program.**]**

(2) A LOCAL JURISDICTION MAY ISSUE A BUILDING PERMIT OR ANY OTHER APPROVAL UNDER THIS SUBTITLE TO AUTHORIZE A NONWATER–DEPENDENT PROJECT LOCATED ON STATE OR PRIVATE WETLANDS WITHIN THE CRITICAL AREA IF THE PROJECT:

(I) 1. INVOLVES A COMMERCIAL ACTIVITY THAT IS PERMITTED AS A SECONDARY OR ACCESSORY USE TO A PERMITTED PRIMARY COMMERCIAL USE;

2. IS NOT LOCATED ON A PIER THAT IS ATTACHED TO RESIDENTIALLY, INSTITUTIONALLY, OR INDUSTRIALLY USED PROPERTY;

3. IS LOCATED IN:

A. AN INTENSELY DEVELOPED AREA AND THE PROJECT IS AUTHORIZED UNDER A PROGRAM AMENDMENT TO A LOCAL JURISDICTION'S CRITICAL AREA PROGRAM APPROVED ON OR AFTER JULY 1, 2013, IF THE APPROVED PROGRAM AMENDMENT INCLUDES NECESSARY CHANGES TO THE LOCAL JURISDICTION'S ZONING, SUBDIVISION, AND OTHER ORDINANCES SO AS TO BE CONSISTENT WITH OR MORE RESTRICTIVE THAN THE REQUIREMENTS PROVIDED UNDER THIS PARAGRAPH; OR

B. AN AREA THAT HAS BEEN EXCLUDED FROM A LOCAL CRITICAL AREA PROGRAM IF THE EXCLUSION HAS BEEN ADOPTED OR APPROVED BY THE CRITICAL AREA COMMISSION;

4. IS APPROVED BY THE LOCAL PLANNING AND ZONING AUTHORITIES AFTER THE LOCAL JURISDICTION'S PROGRAM AMENDMENT UNDER ITEM 3A OF THIS ITEM, IF APPLICABLE, HAS BEEN APPROVED;

5. ALLOWS OR ENHANCES PUBLIC ACCESS TO STATE WETLANDS, IF APPLICABLE;

6. DOES NOT EXPAND BEYOND THE LENGTH, WIDTH, OR CHANNELWARD ENCROACHMENT OF THE PIER ON WHICH THE PROJECT IS CONSTRUCTED;

7. HAS A HEIGHT OF UP TO 18 FEET UNLESS THE PROJECT IS LOCATED AT A MARINA; AND

8. IS UP TO 1,000 SQUARE FEET IN TOTAL AREA; OR

(II) 1. IS LOCATED ON A PIER THAT WAS IN EXISTENCE ON OR BEFORE DECEMBER 31, 2012;

2. SATISFIES ALL OF THE REQUIREMENTS UNDER ITEM (I)1 THROUGH 7 OF THIS PARAGRAPH; AND

3. IF APPLICABLE, HAS A TEMPORARY OR PERMANENT ROOF OR COVERING THAT IS UP TO 1,000 SQUARE FEET IN TOTAL AREA.

(3) (I) A LOCAL JURISDICTION MAY ISSUE A BUILDING PERMIT OR OTHER APPROVAL UNDER THIS SUBTITLE TO AUTHORIZE A NONWATER–DEPENDENT PROJECT FOR A SMALL–SCALE RENEWABLE ENERGY SYSTEM ON A PIER LOCATED ON STATE OR PRIVATE WETLANDS WITHIN THE CRITICAL AREA IF THE PROJECT:

1. INVOLVES THE INSTALLATION OR PLACEMENT OF A SMALL–SCALE RENEWABLE ENERGY SYSTEM THAT IS PERMITTED AS A SECONDARY OR ACCESSORY USE ON A PIER THAT IS AUTHORIZED UNDER TITLE 16 OF THE ENVIRONMENT ARTICLE;

2. IS LOCATED IN:

A. THE CRITICAL AREA AND THE PROJECT IS AUTHORIZED UNDER A PROGRAM AMENDMENT TO A LOCAL JURISDICTION'S CRITICAL AREA PROGRAM APPROVED ON OR AFTER JULY 1, 2013, IF THE APPROVED PROGRAM AMENDMENT INCLUDES NECESSARY CHANGES TO THE LOCAL JURISDICTION'S ZONING, SUBDIVISION, AND OTHER ORDINANCES SO AS TO BE CONSISTENT WITH OR MORE RESTRICTIVE THAN THE REQUIREMENTS PROVIDED UNDER THIS PARAGRAPH; OR

B. AN AREA THAT HAS BEEN EXCLUDED FROM A LOCAL CRITICAL AREA PROGRAM IF THE EXCLUSION HAS BEEN ADOPTED OR APPROVED BY THE CRITICAL AREA COMMISSION; AND

3. IS APPROVED BY THE LOCAL PLANNING AND ZONING AUTHORITIES AFTER THE LOCAL JURISDICTION'S PROGRAM AMENDMENT UNDER ITEM 2A OF THIS SUBPARAGRAPH, IF APPLICABLE, HAS BEEN APPROVED.

(II) A BUILDING PERMIT OR OTHER APPROVAL ISSUED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY INCLUDE THE INSTALLATION OR PLACEMENT OF:

1. A SOLAR ENERGY SYSTEM ATTACHED TO A PIER IF THE DEVICE OR EQUIPMENT ASSOCIATED WITH THAT SYSTEM DOES NOT EXTEND MORE THAN:

A. 4 FEET ABOVE OR 18 INCHES BELOW THE DECK OF THE PIER; OR

B. 1 FOOT BEYOND THE LENGTH OR WIDTH OF THE PIER;

2. A SOLAR ENERGY SYSTEM ATTACHED TO A PILING IF THERE IS ONLY ONE SOLAR PANEL PER BOAT SLIP;

3. A SOLAR ENERGY SYSTEM ATTACHED TO A BOATHOUSE ROOF IF THE DEVICE OR EQUIPMENT ASSOCIATED WITH THAT SYSTEM DOES NOT EXTEND BEYOND THE LENGTH, WIDTH, OR HEIGHT OF THE BOATHOUSE ROOF;

4. A CLOSED–LOOP GEOTHERMAL HEAT EXCHANGER UNDER A PIER IF THE GEOTHERMAL HEAT EXCHANGER OR ANY ASSOCIATED DEVICES OR EQUIPMENT DO NOT:

A. EXTEND BEYOND THE LENGTH, WIDTH, OR CHANNELWARD ENCROACHMENT OF THE PIER;

B. DELETERIOUSLY ALTER LONG SHORE DRIFT; OR

C. CAUSE SIGNIFICANT INDIVIDUAL OR CUMULATIVE THERMAL IMPACTS TO AQUATIC RESOURCES; OR

5. A WIND ENERGY SYSTEM ATTACHED TO A PIER IF THERE IS ONLY ONE WIND ENERGY SYSTEM PER PIER FOR WHICH:

A. THE HEIGHT FROM THE DECK OF THE PIER TO THE BLADE EXTENDED AT ITS HIGHEST POINT IS UP TO 12 FEET;

B. THE ROTOR DIAMETER OF THE WIND TURBINE IS UP TO 4 FEET; AND

C. THE SETBACKS OF THE WIND ENERGY SYSTEM FROM THE NEAREST PROPERTY LINE AND FROM THE CHANNELWARD EDGE OF THE PIER TO WHICH THAT SYSTEM IS ATTACHED ARE AT LEAST 1.5 TIMES THE TOTAL HEIGHT OF THE SYSTEM FROM ITS BASE TO THE BLADE EXTENDED AT ITS HIGHEST POINT.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(1) ~~Section 1 of this Act may not be construed to amend the terms or conditions of a State tidal wetlands license or private wetlands permit that expires on or before July 1, 2013, or is in effect as of on or before July 1, 2013;~~ *Section 1 of this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any State wetlands license or private wetlands permit issued by the Board of Public Works or the Department of the Environment or any building permit or other approval issued by a local jurisdiction before the effective date of this Act;*

(2) Except for the provisions under paragraph (3) of this section, § 16–205(c) of the Environment Article, as enacted under Section 1 of this Act, may not be construed to require the payment of compensation for a State ~~tidal~~ wetlands license that expires on or before July 1, 2013, or is in effect on or before July 1, 2013; and

(3) If the payment of a particular amount of compensation operated as a specific term or condition for the issuance of a State ~~tidal~~ wetlands license in effect on or before July 1, 2013, and the licensee can demonstrate to the Board of Public Works that payment of that compensation has been fully satisfied, the Board of Public Works may require the payment of additional compensation under the provisions of this Act only if the licensee applies for a new State ~~tidal~~ wetlands license for a project that would materially alter the nature or expand the magnitude of an already existing, licensed nonwater–dependent project.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Except as provided in subsection (b) of this section, Section 1 of this Act may not be construed to apply to:

(1) A State wetlands license application or a private wetlands permit application that was pending before the Board of Public Works or the Department of the Environment on or before December 31, 2012;

(2) A State wetlands license application or a private wetlands permit application submitted to the Department of the Environment between July 1, 2013, and June 30, 2016, inclusive, if the application is for authorization of a nonwater–dependent project that is the same or substantially similar to a proposed nonwater–dependent project that:

(i) Is the subject of an application pending before the Board of Public Works or the Department of the Environment on or before December 31, 2012; and

(ii) 1. The Board of Public Works or the Department of the Environment denied; or

2. The applicant withdrew; or

(3) A ~~pier or a~~ nonwater–dependent ~~structure on a pier~~ *project* that was in existence on or before June 30, 1989.

(b) Section 1 of this Act shall apply if, on or after ~~July 1, 1989~~ *January 1, 2013*:

(1) A nonwater–dependent structure was added on a pier without the appropriate State wetlands license or private wetlands permit; or

(2) The length, width, or channelward encroachment of a pier or a nonwater–dependent structure on a pier was increased without the appropriate State wetlands license or private wetlands permit.

~~SECTION 3. 4. AND BE IT FURTHER ENACTED, That for a nonwater–dependent project in existence on or before December 31, 2012, for which a State tidal wetlands license application was not pending before the Board of Public Works or the Department of the Environment on or before December 31, 2012, and for which a State wetlands license has not been issued:~~

~~(1) A person may apply to the Department of the Environment for an after–the–fact State tidal wetlands license if the application is filed on or before July January 1, 2014, unless the Department authorizes an extension of time for filing of the application;~~

~~(2) The Department shall evaluate an application filed under this Section in accordance with:~~

~~(i) § 16–104(b)(2)(i)1 through 3 and 6 through 8 of the Environment Article, as enacted under Section 1 of this Act;~~

~~(ii) § 16–104(b)(2)(ii)3 of the Environment Article, as enacted under Section 1 of this Act; and~~

~~(iii) All other applicable State and local laws in effect on the date that the application is filed;~~

~~(3) If the Board of Public Works issues an after–the–fact State tidal wetlands license, compensation shall be in accordance with the rate established under § 16–205 of the Environment Article, as enacted under Section 1 of this Act, and any regulations adopted under the authority of this Act; and~~

~~(4) If a person does not apply for a State tidal wetlands license by July January 1, 2014, or within an extension of time authorized by the Department, or if the Board of Public Works denies an after–the–fact State tidal wetlands license and that denial is upheld on final appeal, then the person shall remove the unauthorized nonwater–dependent project.~~

~~SECTION 4. 5. AND BE IT FURTHER ENACTED, That for a nonwater–dependent project in existence on or before December 31, 2012, for which a private tidal wetlands permit application was not pending before the Department of the Environment on or before December 31, 2012, and for which a private wetlands permit has not been issued:~~

~~(1) A person may apply to the Department of the Environment for an after–the–fact private tidal wetlands permit if the application is filed on or before July January 1, 2014, unless the Department authorizes an extension of time for filing of the application;~~

~~(2) The Department shall evaluate an application filed under this section in accordance with:~~

~~(i) § 16–104(b)(2)(i)1 through 3, 7, and 8 of the Environment Article, as enacted under Section 1 of this Act;~~

~~(ii) § 16–104(b)(2)(ii)3 of the Environment Article, as enacted under Section 1 of this Act; and~~

~~(iii) All other applicable State and local laws in effect on the date that the application is filed; and~~

~~(3) If a person does not apply for a private tidal wetlands permit by July January 1, 2014, or within an extension of time authorized by the Department, or if the Department denies an after–the–fact private tidal wetlands permit and that denial is upheld on final appeal, then the person shall remove the unauthorized nonwater–dependent project.~~

SECTION ~~5.~~ ~~6.~~ *4.* AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 493

(Senate Bill 526)

AN ACT concerning

Counties and Municipalities – Required Legislation or Regulations – Adoption by Reference

FOR the purpose of authorizing a county or municipality to adopt certain State laws or regulations by reference under certain circumstances; requiring certain counties

or municipalities to specify certain matters under certain circumstances; *providing that this Act does not affect any requirement that a county or municipality form and maintain a local program, plan, or standard required under any State law or regulation and does not grant more authority than is granted by a State law or regulation that authorizes local options;* and generally relating to the adoption by reference of certain State laws or regulations by counties and municipalities.

~~BY adding to~~
~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~
~~Section 1–113~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~

BY renumbering
Article – Local Government
Section 1–1302 through 1–1308, respectively
to be Section 1–1303 through 1–1309, respectively
Annotated Code of Maryland
(As enacted by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013)

BY adding to
Article – Local Government
Section 1–1302
Annotated Code of Maryland
(As enacted by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 1–1302 through 1–1308, respectively, of Article – Local Government of the Annotated Code of Maryland be renumbered to be Section(s) 1–1303 through 1–1309, respectively.

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

~~**Article 24 – Political Subdivisions – Miscellaneous Provisions**~~

~~**1–113.**~~

Article – Local Government

1–1302.

(A) ~~**NOTWITHSTANDING ANY OTHER LAW**~~ ***SUBJECT TO SUBSECTION (C) OF THIS SECTION*****, IF A STATE LAW OR REGULATION REQUIRES A COUNTY OR**

MUNICIPALITY TO ADOPT LEGISLATION OR A REGULATION AT LEAST AS STRICT *OR EFFECTIVE* AS THE APPLICABLE STATE LAW OR REGULATION, THE COUNTY OR MUNICIPALITY MAY ADOPT THE STATE LAW OR REGULATION BY REFERENCE.

(B) IF A COUNTY OR MUNICIPALITY ADOPTS A STATE LAW OR REGULATION BY REFERENCE, THE COUNTY OR MUNICIPALITY SHALL SPECIFY:

(1) ~~WHETHER~~ WHETHER IT ALSO ADOPTS BY REFERENCE ANY AMENDMENTS TO THE STATE LAW OR REGULATION EFFECTIVE AFTER THE LOCAL ADOPTION OF THE STATE LAW OR REGULATION BY REFERENCE; AND

(2) ~~ANY~~ ANY EXCEPTIONS TO THE STATE LAW OR REGULATION IF THE STATE LAW OR REGULATION AUTHORIZES LOCAL OPTIONS.

(C) THE AUTHORIZATION UNDER SUBSECTION (A) OF THIS SECTION:

(1) DOES NOT AFFECT ANY REQUIREMENT THAT A COUNTY OR MUNICIPALITY FORM AND MAINTAIN A LOCAL PROGRAM, PLAN, OR STANDARD, INCLUDING IMPLEMENTATION AND ENFORCEMENT PROCESSES, REQUIRED UNDER ANY STATE LAW OR ANY REGULATION ADOPTED UNDER THE AUTHORITY OF THAT LAW; AND

(2) IF A STATE LAW OR REGULATION ADOPTED UNDER THE AUTHORITY OF THAT LAW AUTHORIZES LOCAL OPTIONS, DOES NOT GRANT MORE AUTHORITY THAN IS GRANTED BY THAT LAW OR REGULATION.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 494

(House Bill 1076)

AN ACT concerning

Counties and Municipalities – Required Legislation or Regulations – Adoption by Reference

FOR the purpose of authorizing a county or municipality to adopt certain State laws or regulations by reference under certain circumstances; requiring certain counties

or municipalities to specify certain matters under certain circumstances; providing that this Act does not affect any requirement that a county or municipality form and maintain a local program, plan, or standard required under any State law or regulation and does not grant more authority than is granted by a State law or regulation that authorizes local options; and generally relating to the adoption by reference of certain State laws or regulations by counties and municipalities.

~~BY adding to~~
~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~
~~Section 1–113~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~

BY renumbering
Article – Local Government
Section 1–1302 through 1–1308, respectively
to be Section 1–1303 through 1–1309, respectively
Annotated Code of Maryland
(As enacted by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013)

BY adding to
Article – Local Government
Section 1–1302
Annotated Code of Maryland
(As enacted by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 1–1302 through 1–1308, respectively, of Article – Local Government of the Annotated Code of Maryland be renumbered to be Section(s) 1–1303 through 1–1309, respectively.

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

~~**Article 24 – Political Subdivisions – Miscellaneous Provisions**~~

~~**1–113.**~~

Article – Local Government

1–1302.

(A) ~~**NOTWITHSTANDING ANY OTHER LAW**~~ **SUBJECT TO SUBSECTION (C) OF THIS SECTION, IF A STATE LAW OR REGULATION REQUIRES A COUNTY OR**

MUNICIPALITY TO ADOPT LEGISLATION OR A REGULATION AT LEAST AS STRICT OR EFFECTIVE AS THE APPLICABLE STATE LAW OR REGULATION, THE COUNTY OR MUNICIPALITY MAY ADOPT THE STATE LAW OR REGULATION BY REFERENCE.

(B) IF A COUNTY OR MUNICIPALITY ADOPTS A STATE LAW OR REGULATION BY REFERENCE, THE COUNTY OR MUNICIPALITY SHALL SPECIFY:

(1) ~~WHETHER~~ WHETHER IT ALSO ADOPTS BY REFERENCE ANY AMENDMENTS TO THE STATE LAW OR REGULATION EFFECTIVE AFTER THE LOCAL ADOPTION OF THE STATE LAW OR REGULATION BY REFERENCE; AND

(2) ~~ANY~~ ANY EXCEPTIONS TO THE STATE LAW OR REGULATION IF THE STATE LAW OR REGULATION AUTHORIZES LOCAL OPTIONS.

(C) THE AUTHORIZATION UNDER SUBSECTION (A) OF THIS SECTION:

(1) DOES NOT AFFECT ANY REQUIREMENT THAT A COUNTY OR MUNICIPALITY FORM AND MAINTAIN A LOCAL PROGRAM, PLAN, OR STANDARD, INCLUDING IMPLEMENTATION AND ENFORCEMENT PROCESSES, REQUIRED UNDER ANY STATE LAW OR ANY REGULATION ADOPTED UNDER THE AUTHORITY OF THAT LAW; AND

(2) IF A STATE LAW OR REGULATION ADOPTED UNDER THE AUTHORITY OF THAT LAW AUTHORIZES LOCAL OPTIONS, DOES NOT GRANT MORE AUTHORITY THAN IS GRANTED BY THAT LAW OR REGULATION.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 495

(Senate Bill 535)

AN ACT concerning

Washington County – Amusement Devices – Tip Jars

FOR the purpose of altering the definition of "amusement device" as it relates to the operation and regulation of amusement devices in Washington County to include a game activated by an object or another consideration of value; altering

the definition of "gross profits" as it relates to the operation of tip jars in Washington County to require the deduction of the cost of a gaming sticker; repealing a certain limit on the maximum amount a tip jar licensee may retain from gross profits; and generally relating to the operation and regulation of amusement devices and tip jars in Washington County.

~~BY repealing and reenacting, with amendments,~~
~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~
~~Section 11–202~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–441(a) and 17–442
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 17–441(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 119 (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–2435
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

~~**Article 24 – Political Subdivisions – Miscellaneous Provisions**~~

~~11–202.~~

~~(a) (1) In this section, "amusement device" means~~ **[**~~billiard~~**]:**

~~**(I)**~~ ~~**BILLIARD** tables~~ **[**~~and coin–operated games in Washington County.~~

~~(2) "Coin–operated game" means a~~**]; OR**

~~(II) A game activated by coins [or], tokens [including:], OR OTHER OBJECTS OR CONSIDERATION OF VALUE.~~

~~(2) "AMUSEMENT DEVICE" INCLUDES:~~

~~(i) A video game;~~

~~(ii) An electronic game;~~

~~(iii) A claw machine;~~

~~(iv) A bowling game;~~

~~(v) A shuffleboard game;~~

~~(vi) A pool table;~~

~~(vii) A pinball machine;~~

~~(viii) A target machine;~~

~~(ix) A baseball machine; and~~

~~(x) Any other similar device.~~

~~(3) "Amusement device" does not include a bona fide vending machine in which amusement features are not incorporated.~~

~~(b) (1) A person, company, partnership, or any other incorporated or unincorporated organization shall be licensed under this section before the person, company, partnership, or any other incorporated or unincorporated organization may operate an amusement device in Washington County.~~

~~(2) An applicant for an amusement device operator license shall annually:~~

~~(i) Submit an application to the County Commissioners of Washington County on the form that the County Commissioners require; and~~

~~(ii) Pay a fee of $25 annually.~~

~~(3) The application for an amusement device operator license shall contain:~~

~~(i) The name of the applicant;~~

~~(ii) The address of the applicant;~~

~~(iii) The names and addresses of all locations where amusement machines are to be operated by the applicant; and~~

~~(iv) Any other information that the County Commissioners require.~~

~~(4) (i) Each amusement device operator license expires on June 30 each year and may be renewed each year on or before July 1.~~

~~(ii) Before the license expires, the licensee periodically may renew it for an additional 1 year term.~~

~~(c) (1) Before a person who keeps, owns, or maintains an amusement device allows the operation of the machine by the public in Washington County, the person shall obtain a permit.~~

~~(2) An applicant for an amusement device permit shall:~~

~~(i) Submit an application for each location where the machines are to be operated to the County Commissioners of Washington County on the form that the County Commissioners require; and~~

~~(ii) Pay a fee of $100 per machine for each permit.~~

~~(3) Each amusement device operator permit expires on June 30 each year and may be renewed each year on or before July 1.~~

~~(d) If an amusement device is on display for sale, the County Commissioners may waive any fee otherwise required under this section.~~

~~(e) (1) A person who violates subsection (b) of this section is guilty of a misdemeanor, and on conviction is subject to a fine not exceeding $5,000 or imprisonment not exceeding 6 months, or both.~~

~~(2) A person who violates subsection (c) of this section is guilty of a misdemeanor, and on conviction is subject to a fine not exceeding $500, or imprisonment not exceeding 6 months, or both.~~

~~(3) Upon conviction, the county may institute proceedings to forfeit any amusement device which was operated in derogation of this section. The Circuit Court of Washington County shall have jurisdiction to hear and determine any such forfeiture proceeding.~~

Article – Business Regulation

17–441.

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

(b) (1) "Amusement device" means**:**

(I) a billiard table**;** or

(II) **A** game activated by coins **[**or**],** tokens**, OR OTHER OBJECTS OR CONSIDERATION OF VALUE**.

(2) "Amusement device" includes:

(i) a video game;

(ii) an electronic game;

(iii) a claw machine;

(iv) a bowling game;

(v) a shuffleboard game;

(vi) a pool table;

(vii) a pinball machine;

(viii) a target machine;

(ix) a baseball machine; and

(x) any other similar device.

(3) "Amusement device" does not include a vending machine in which amusement features are not incorporated.

17–442.

Part V of this subtitle applies only in Washington County.

Article – Criminal Law

13–2435.

(a) In this section, "gross profits" means the total proceeds from the operation of a tip jar less**:**

(1) the amount of money winnings or value of prizes distributed**; AND**

(2) THE COST OF A GAMING STICKER.

(b) There is a Washington County Gaming Fund.

(c) (1) The county commissioners shall establish:

(i) the method and time of deposits to the fund; and

(ii) other procedures necessary to carry out subsections (d), (e), and (f) of this section.

(2) In accordance with a written agreement between the county commissioners and the gaming commission, the gaming commission may use money from the fund to reimburse the county commissioners for the costs to the county for administering Part III of this subtitle.

(3) (i) The county commissioners may require the Washington County Volunteer Fire and Rescue Association to submit financial reports of the Association.

(ii) The county commissioners may adopt regulations specifying the time frames for submission of the reports, but the regulations shall be limited in scope to the timing of submission of the reports only.

(iii) The financial reports of the Washington County Volunteer Fire and Rescue Association may include an annual budget as approved under paragraph (4) of this subsection, budget reports, and related documentation that shows how money has been spent by the Washington County Volunteer Fire and Rescue Association during the previous fiscal year.

(iv) If the financial reports are not submitted within the time required under the regulations, the county commissioners may withhold funds that would otherwise be distributed under subsection (f)(1) of this section until the reports are submitted.

(4) (i) Each year the Washington County Volunteer Fire and Rescue Association shall submit its budget to the county commissioners.

(ii) The county commissioners shall accept or reject the budget by a majority vote.

(iii) The acceptance or rejection of the budget may not be delegated to any designee.

(iv) The county commissioners may withhold funds that would otherwise be distributed under subsection (f)(1) of this section until the budget of the Washington County Volunteer Fire and Rescue Association is accepted by the county commissioners.

(d) (1) This subsection applies only to a person who holds a tip jar license under § 13–2420(b)(7), (8), or (9) of this subtitle.

(2) Subject to paragraph (3) of this subsection, a person subject to this subsection shall deposit with a financial institution designated by the gaming commission, to the credit of the fund, the gross profits from each tip jar that the person operates.

(3) To offset the costs of operating a tip jar, a person with a tip jar license may retain ~~the lesser of $45 or~~ 50% of the gross profits from each tip jar game.

(e) (1) This subsection applies only to a person who holds a tip jar license under § 13–2420(b)(1) through (6) of this subtitle.

(2) A person subject to this subsection shall deposit with a financial institution designated by the gaming commission, to the credit of the fund, 15% of the gross profits earned through the operation of tip jars during the 12–month period ending June 30.

(3) If a person fails to contribute the full amount required under paragraph (2) of this subsection, the person shall deposit the balance required during the next year.

(f) After the reimbursement under subsection (c)(2) of this section, each year the gaming commission shall distribute:

(1) 50% of the money deposited in the fund to the Washington County Volunteer Fire and Rescue Association; and

(2) subject to any restriction that the county commissioners adopt by regulation, 50% of the money deposited in the fund to bona fide charitable organizations in the county.

(g) The county commissioners may not require that funds distributed under (f)(1) of this section be used for fire and rescue services for which funds previously have been appropriated in the county operating budget.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ *October* 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 496

(Senate Bill 536)

AN ACT concerning

Department of Juvenile Services – Graduated Responses – Report

FOR the purpose of requiring the Department of Juvenile Services to report to certain committees of the General Assembly on or before a certain date on the implementation of a system of graduated responses for children under the jurisdiction of the Department; defining a certain term; and generally relating to the Department of Juvenile Services and graduated responses.

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

(a) In this section, "graduated responses" means an accountability–based series of sanctions, including incentives, treatment, and services, applicable to children within the juvenile justice system, administered to hold children accountable for their actions and to protect communities from the effects of juvenile delinquency by providing appropriate sanctions for every act for which a child is adjudicated delinquent, by encouraging law–abiding behavior, and by preventing subsequent involvement in the juvenile justice system.

(b) On or before December 1, 2014, the Department of Juvenile Services shall report to the Senate Judicial Proceedings Committee and the House Judiciary Committee, in accordance with § 2–1246 of the State Government Article, on the implementation of a system of graduated responses for children under the jurisdiction of the Department.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 497

(House Bill 604)

AN ACT concerning

Department of Juvenile Services – Graduated Responses – Report

FOR the purpose of requiring the Department of Juvenile Services to report to certain committees of the General Assembly on or before a certain date on the implementation of a system of graduated responses for children under the jurisdiction of the Department; defining a certain term; and generally relating to the Department of Juvenile Services and graduated responses.

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

(a) In this section, "graduated responses" means an accountability–based series of sanctions, including incentives, treatment, and services, applicable to children within the juvenile justice system, administered to hold children accountable for their actions and to protect communities from the effects of juvenile delinquency by providing appropriate sanctions for every act for which a child is adjudicated delinquent, by encouraging law–abiding behavior, and by preventing subsequent involvement in the juvenile justice system.

(b) On or before December 1, 2014, the Department of Juvenile Services shall report to the Senate Judicial Proceedings Committee and the House Judiciary Committee, in accordance with § 2–1246 of the State Government Article, on the implementation of a system of graduated responses for children under the jurisdiction of the Department.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 498

(Senate Bill 542)

AN ACT concerning

Election Law – Polling Places – Electioneering

FOR the purpose of requiring that electioneering be allowed on the premises of a public building that is used for a polling place up to a certain electioneering boundary; requiring that campaign signs be allowed on the premises of a public building that is used for a polling place for, at a minimum, certain time periods; prohibiting a polling place from being located in a privately owned building ~~unless the owner of the building agrees to allow electioneering on the premises up to a certain electioneering boundary~~ except under certain circumstances; and generally relating to electioneering at polling places.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 10–101(a)(1) and (2)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–101(a)(3) and (4)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Election Law

10–101.

(a) (1) Each local board shall designate a polling place that meets the requirements of this subsection for each precinct in the county as established by the local board in accordance with Title 2 of this article.

(2) Each polling place shall:

(i) provide an environment that is suitable to the proper conduct of an election;

(ii) be located as conveniently as practicable for the majority of registered voters assigned to that polling place;

(iii) except as authorized in paragraph (4) of this subsection, be in a public building;

(iv) be in the precinct that it serves unless no suitable location for a polling place can be found within that precinct, in which case the board may establish the polling place in an adjacent precinct; and

(v) whenever practicable, be selected and arranged to avoid architectural and other barriers that impede access or voting by elderly and physically disabled voters.

(3) (i) The public official responsible for the use of any public building requested by a local board for a polling place shall make available to the local board, without charge, the space that is needed in the building for the proper conduct of an election.

(ii) Light, heat, and custodial and janitorial services for the space shall be provided to the local board without charge.

(III) 1. ~~ELECTIONEERING~~ SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, ELECTIONEERING SHALL BE ALLOWED ON THE PREMISES OF THE PUBLIC BUILDING UP TO THE ELECTIONEERING BOUNDARY ESTABLISHED UNDER § 16–206(B) OF THIS ARTICLE.

2. CAMPAIGN SIGNS SHALL BE ALLOWED ON THE PREMISES OF THE PUBLIC BUILDING, AT A MINIMUM, FROM:

A. ~~5~~ *7* P.M. THE DAY IMMEDIATELY PRECEDING ELECTION DAY UNTIL 8 A.M. ON THE DAY IMMEDIATELY FOLLOWING ELECTION DAY; AND

B. ~~5~~ *7* P.M. THE DAY BEFORE AN EARLY VOTING PERIOD BEGINS UNDER § 10–301.1 OF THIS TITLE UNTIL 8 A.M. THE DAY AFTER THE EARLY VOTING PERIOD ENDS.

(4) (i) If suitable space in a public building is not available, a local board may pay a reasonable fee for the use of space in a privately owned building.

(II) A POLLING PLACE MAY NOT BE LOCATED IN A PRIVATELY OWNED BUILDING UNLESS THE OWNER OF THE BUILDING AGREES TO:

1. ALLOW ELECTIONEERING ON THE PREMISES UP TO THE ELECTIONEERING BOUNDARY ESTABLISHED UNDER § 16–206(B) OF THIS ARTICLE; AND

2. ALLOW CAMPAIGN SIGNS ON THE PREMISES, AT A MINIMUM, FROM:

A. ~~5~~ *7* P.M. THE DAY IMMEDIATELY PRECEDING ELECTION DAY UNTIL 8 A.M. ON THE DAY IMMEDIATELY FOLLOWING ELECTION DAY; AND

B. ~~5~~ *7* P.M. THE DAY BEFORE AN EARLY VOTING PERIOD BEGINS UNDER § 10–301.1 OF THIS TITLE UNTIL 8 A.M. THE DAY AFTER THE EARLY VOTING PERIOD ENDS.

[(ii)**] (III)** Except as provided in subparagraphs **[**(iii)**](IV)** and **[**(iv)**](V)** of this paragraph, an election may not be held in any building or part of any

building used or occupied by an establishment that holds an alcoholic beverages license.

[(iii)**] (IV)** An election may be held in a building that is owned and occupied by an establishment that holds an alcoholic beverages license if:

1. the local board determines that there is no suitable alternative place to hold an election;

2. the licensee agrees not to sell or dispense alcoholic beverages during the period beginning 2 hours before the polls open and ending 2 hours after the polls close; and

3. where applicable, all ballots are removed from the polling place by the local board immediately following the election.

[(iv)**] (V)** An early voting center may be located in a building that is partially occupied by an establishment that holds an alcoholic beverages license if:

1. the State Board, in collaboration with a local board, determines that the building is a suitable site for an early voting center; and

2. the entrance to a licensee's establishment is at least 100 feet from the entrance to the building that is closest to the part of the building where the early voting center is located.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 499

(Senate Bill 553)

AN ACT concerning

Tipped Employees – Payments or Deduction from Wages – Prohibition

FOR the purpose of prohibiting certain employers from requiring a tipped employee to reimburse or pay the employer certain amounts under certain circumstances; prohibiting certain employers from deducting certain amounts from a tipped employee under certain circumstances; <u>requiring certain employers to post certain notices in certain places in a form required by the Commissioner of</u>

Labor and Industry; defining a certain term; and generally relating to tipped employees and unpaid customer charges.

BY adding to
Article – Labor and Employment
Section 3–713
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Article – Labor and Employment

3–713.

(A) IN THIS SECTION, "TIPPED EMPLOYEE" MEANS AN EMPLOYEE WHO IS ENGAGED IN AN OCCUPATION IN WHICH THE EMPLOYEE CUSTOMARILY AND REGULARLY RECEIVES MORE THAN $30 EACH MONTH IN TIPS OR GRATUITIES.

(B) (1) AN EMPLOYER MAY NOT REQUIRE A TIPPED EMPLOYEE TO REIMBURSE THE EMPLOYER OR PAY TO THE EMPLOYER AN AMOUNT EQUIVALENT TO A CUSTOMER'S CHARGE FOR FOOD OR BEVERAGES IF THE CUSTOMER LEAVES THE EMPLOYER'S PLACE OF BUSINESS WITHOUT PAYING THE CHARGE FOR FOOD OR BEVERAGES.

(2) SUBJECT TO § 3–503 OF THIS TITLE, AN EMPLOYER MAY NOT MAKE A DEDUCTION FROM THE WAGE OF A TIPPED EMPLOYEE TO REIMBURSE THE EMPLOYER FOR AN AMOUNT EQUIVALENT TO A CUSTOMER'S CHARGE FOR FOOD OR BEVERAGES IF THE CUSTOMER LEAVES THE EMPLOYER'S PLACE OF BUSINESS WITHOUT PAYING THE CHARGE FOR FOOD OR BEVERAGES.

(C) EACH EMPLOYER SHALL KEEP POSTED CONSPICUOUSLY IN A PLACE WHERE A TIPPED EMPLOYEE IS EMPLOYED A PRINTED NOTICE OF THE PROVISIONS OF THIS SECTION, IN A FORM THAT THE COMMISSIONER REQUIRES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 500

(Senate Bill 563)

AN ACT concerning

Environment ~~– Permit Applications – Notice – Neighboring Jurisdictions~~ and Public Utilities – Notice to Neighboring Jurisdictions of Applications

FOR the purpose of requiring the Department of the Environment, on receipt of a certain permit application, to give notice immediately or require the applicant to give notice immediately of the application by certified mail to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring an applicant for a certain incinerator or landfill system to give notice by certified mail of the application, informational meeting, and hearings to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring the Public Service Commission, on receipt of an application for a certificate of public convenience and necessity to construct a certain generating station, overhead transmission line, or qualified generator lead line, to provide notice immediately or require the applicant to provide notice immediately of the application to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring the Commission, on receipt of a certain application for approval to construct a certain generating station, to provide notice immediately or require the applicant to provide notice immediately of the application to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; exempting a certain notice requirement from a certain waiver authorization; requiring the Commission, on receipt of a certain application and certain additional information relating to the construction of a certain generating station and associated overhead transmission lines, to provide notice immediately or require the applicant to provide notice immediately to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; and generally relating to notice requirements for ~~environmental permit~~ applications to the Department of the Environment and the Public Service Commission.

BY repealing and reenacting, without amendments,
Article – Environment
Section 1–602
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–404 and 9–209
Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–207(c), 7–207.1, and 7–208(d)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–208(a) through (c)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Environment

1–602.

(a) Wherever this subtitle requires the Department to publish notice:

(1) Notice shall be published at least once a week for 2 consecutive weeks in a daily or weekly newspaper of general circulation in the geographical area in which the proposed facility is located;

(2) The Department may require notice of an informational meeting or a public hearing by mail to each person requesting the meeting or hearing or to their authorized representatives;

(3) The Department may provide additional notice by requiring the notice to be posted at the proposed facility or at public facilities in the geographical area of the proposed facility; and

(4) The applicant shall bear all costs incurred by the Department in providing notice.

(b) (1) In addition to the requirements set forth in subsection (a) of this section and notwithstanding any other requirements in this article, wherever this subtitle requires the Department to publish notice of an application for a permit, the Department shall:

(i) Electronically post the notice of an application for a permit on the Department's website; and

(ii) Provide a method for interested persons to electronically request any additional notices related to an application for a permit.

(2) The notice required under paragraph (1) of this subsection shall include:

(i) The name and address of the applicant;

(ii) A description of the location and the nature of the activity for which the permit has been sought;

(iii) A reference to the applicable statutes or regulations governing the application process;

(iv) The time and place of any scheduled informational meeting or public hearing, or a description of where this information can be found;

(v) A description of where further information about the permit application can be found; and

(vi) Any other information that the Department determines is necessary.

(c) The Department may require the applicant to publish and send the notices required in subsection (a) of this section.

2–404.

(a) This section applies to the following activities:

(1) Construction of a new source;

(2) Replacement of components of an existing permitted source, if the fixed capital cost of the replacement components exceeds one–half of the fixed capital cost that would be required to construct a new source comparable in process to the existing source; and

(3) Modification of an existing permitted source by making a physical or operational change to the source that will result in a significant net increase in emissions of any pollutant from that source.

(b) (1) Before accepting an application for a permit subject to subsection (c) of this section, the Department shall require the applicant to submit documentation:

(i) That demonstrates that the proposal has been approved by the local jurisdiction for all zoning and land use requirements; or

(ii) That the source meets all applicable zoning and land use requirements.

(2) Paragraph (1) of this subsection does not apply to any application for a permit to construct at an existing source unless the existing source is a nonconforming use.

(c) The Department shall comply with the provisions in subsection (d) of this section before issuing a permit for the activities listed in subsection (a) of this section at:

(1) Any source which is required to obtain a permit to operate under regulations adopted under this subtitle;

(2) Any source which is subject to federal standards under 40 C.F.R. Part 60 (New Source Performance Standards), 40 C.F.R. Part 61 (National Emission Standards for Hazardous Air Pollutants), or 40 C.F.R. 52.21 (Prevention of Significant Deterioration); or

(3) Any source that will, after control, discharge 25 tons or more per year of a pollutant regulated under this title in the areas of Baltimore City designated by the United States Post Office as zip code numbers 21225, 21226, and 21230.

(d) **(1) ON RECEIPT OF AN APPLICATION FOR A PERMIT SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT SHALL GIVE NOTICE IMMEDIATELY OR REQUIRE THE APPLICANT TO GIVE NOTICE IMMEDIATELY OF THE APPLICATION BY CERTIFIED MAIL TO:**

(I) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE SOURCE IS LOCATED OR IS PROPOSED TO BE LOCATED;

(II) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN ONE MILE OF THE PROPERTY LINE OF THE SOURCE OR THE PROPOSED LOCATION OF THE SOURCE;

(III) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE SOURCE IS LOCATED OR PROPOSED TO BE LOCATED; AND

(IV) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN ONE MILE OF THE PROPERTY LINE OF THE SOURCE OR THE PROPOSED LOCATION OF THE SOURCE.

[(1)**] (2)** **[**Before**] IN ADDITION TO THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION, BEFORE** issuing a permit subject to subsection (c) of this section, the Department shall:

(i) Comply with the provisions of Title 1, Subtitle 6 of this article; and

(ii) Conduct any public hearing required by Title 1, Subtitle 6 of this article in the county in which the proposed source is located.

[(2)**] (3)** In addition to the requirements under **[**paragraph (1)**] PARAGRAPHS (1) AND (2)** of this subsection, before issuing a permit to construct a source described in subsection (c)(3) of this section, the Department shall require at the expense of the applicant the preparation of an ambient air quality impact analysis regarding the proposed construction.

(e) The provisions of this section do not apply to any permit to construct control equipment on an existing source or to any permit to operate.

9–209.

(a) The applicant shall give notice of the application, the informational meeting, and hearings:

(1) To the public in compliance with Title 1, Subtitle 6 of this article;

(2) **[**To**] BY CERTIFIED MAIL TO** the board of county commissioners or the county council of any county and the chief executive of any county or municipal corporation that the Department determines may be affected by the incinerator for public use or landfill system, **[**by certified mail**] INCLUDING ANY COUNTY OR MUNICIPAL CORPORATION WITHIN ONE MILE OF THE PROPERTY LINE OF THE PROPOSED INCINERATOR FOR PUBLIC USE OR LANDFILL SYSTEM**;

(3) To the Department of Natural Resources, by certified mail;

(4) **[**To**] BY CERTIFIED MAIL TO** each member of the General Assembly representing any part of **[**a**]:**

(I) A county in which the landfill system or incinerator **FOR PUBLIC USE** is located**[**, by certified mail**]; OR**

(II) A COUNTY WITHIN 1 MILE OF THE PROPERTY LINE OF THE PROPOSED LANDFILL SYSTEM OR INCINERATOR FOR PUBLIC USE;

(5) To record owners of real property within 1,000 feet of the property line of the proposed incinerator for public use or landfill system, by certified mail to

the addresses of record owners as indicated in the records of the State Department of Assessments and Taxation; and

(6) By posting a notice of the application, the informational meeting, and hearings in a conspicuous space on the site of the proposed incinerator for public use or landfill system.

(b) The local officials notified under subsection (a)(2) of this section shall give notice of the application, the informational meeting, and hearings to all interested agencies of their respective jurisdictions.

(c) To the extent practicable, the Department and other units of the State government shall consolidate the informational meeting and hearings concerning permits for the same landfill system or incinerator for public use.

Article – Public Utilities

7–207.

(c) (1) On receipt of an application for a certificate of public convenience and necessity under this section, the Commission shall provide notice **IMMEDIATELY OR REQUIRE THE APPLICANT TO PROVIDE NOTICE IMMEDIATELY OF THE APPLICATION** to**:**

(I) the Department of Planning**;**

(II) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE IS PROPOSED TO BE CONSTRUCTED;

(III) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE;

(IV) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE IS PROPOSED TO BE CONSTRUCTED;

(V) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE; and **[**to**]**

(VI) all other interested persons.

(2) The Department of Planning shall forward the application to each appropriate State unit and unit of local government for review, evaluation, and comment regarding the significance of the proposal to State, area–wide, and local plans or programs.

7–207.1.

(a) This section applies to a person who:

(1) constructs a generating station:

(i) designed to provide on–site generated electricity if:

1. the capacity of the generating station does not exceed 70 megawatts; and

2. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; or

(ii) that produces electricity from wind if:

1. the generating station is land–based;

2. the capacity of the generating station does not exceed 70 megawatts;

3. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company;

4. the Commission provides an opportunity for public comment at a public hearing as provided in subsection **[**(e)**] (F)** of this section; and

5. the generating station's wind turbines are not located within a distance from the Patuxent River Naval Air Station that is determined by regulations adopted by the Commission in coordination with the Commander, Naval Air Warfare Center Aircraft Division, provided that the distance requirement under the regulation is:

A. not greater than is necessary to encompass an area in which utility scale wind turbines could create Doppler radar interference for missions at the Patuxent River Naval Air Station;

B. not greater than 46 miles, measured from location 38.29667N, 76.37668W; and

C. subject to modification if necessary to reflect changes in missions or technology at the Patuxent River Naval Air Station or changes in wind energy technology; or

(2) constructs a generating station if:

(i) the capacity of the generating station does not exceed 25 megawatts;

(ii) the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; and

(iii) at least 10% of the electricity generated at the generating station each year is consumed on–site.

(b) (1) The Commission shall require a person that is exempted from the requirement to obtain a certificate of public convenience and necessity to obtain approval from the Commission under this section before the person may construct a generating station described in subsection (a) of this section.

(2) An application for approval under this section shall:

(i) be made to the Commission in writing on a form adopted by the Commission;

(ii) be verified by oath or affirmation; and

(iii) contain information that the Commission requires, including:

1. proof of compliance with all applicable requirements of the independent system operator; and

2. a copy of an interconnection, operation, and maintenance agreement between the generating station and the local electric company.

(C) ON RECEIPT OF AN APPLICATION FOR APPROVAL UNDER THIS SECTION, THE COMMISSION SHALL PROVIDE NOTICE IMMEDIATELY OR REQUIRE THE APPLICANT TO PROVIDE NOTICE IMMEDIATELY OF THE APPLICATION TO:

(1) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE GENERATING STATION IS PROPOSED TO BE CONSTRUCTED;

(2) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION;

(3) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE GENERATING STATION IS PROPOSED TO BE CONSTRUCTED; AND

(4) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION.

[(c)**] (D)** When reviewing an application for approval under this section, the Commission shall:

(1) ensure the safety and reliability of the electric system;

(2) require the person constructing the generating station to notify the Commission 2 weeks before the first export of electricity from a generating station approved under this section; and

(3) conduct its review and approval in an expeditious manner.

[(d)**] (E) [**The**] EXCEPT FOR THE NOTICE REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE** Commission may waive an element of the approval process under this section if the Commission determines that the waiver is in the public interest.

[(e)**] (F)** (1) The Commission shall provide an opportunity for public comment and hold a public hearing as provided under this subsection on an application for approval made under subsection (a)(1)(ii) of this section in each county and municipal corporation in which any portion of the construction of a generating station is proposed to be located.

(2) Upon the request of the governing body of a county or municipal corporation in which any portion of the construction of a generating station is proposed

to be located, the Commission shall hold the public hearing jointly with the governing body.

(3) Once in each of 2 successive weeks immediately before the hearing date, the Commission, at the expense of the applicant, shall provide weekly notice of the public hearing and opportunity for public comment by advertisement in a newspaper of general circulation in the county or municipal corporation affected by the application.

7–208.

(a) This section applies to any person:

(1) constructing a generating station and its associated overhead transmission lines designed to carry a voltage in excess of 69,000 volts; or

(2) exercising the right of condemnation in connection with the construction.

(b) (1) To obtain the certificate of public convenience and necessity required under § 7–207 of this subtitle for construction under this section, a person shall file an application with the Commission at least 2 years before construction of the facility will commence.

(2) The Commission may waive the 2–year requirement on a showing of good cause.

(c) The applicant shall:

(1) include in an application under this section the information that the Commission requests initially; and

(2) furnish any additional information that the Commission requests subsequently.

(d) (1) On the receipt of an application under this section, together with any additional information requested under subsection (c)(2) of this section, the Commission shall provide notice to:

(i) all interested persons;

(ii) the Department of Agriculture;

(iii) the Department of Business and Economic Development;

(iv) the Department of the Environment;

(v) the Department of Natural Resources;

(vi) the Department of Transportation; and

(vii) the Department of Planning.

(2) ON RECEIPT OF AN APPLICATION UNDER THIS SECTION, AND WHENEVER ADDITIONAL INFORMATION IS RECEIVED UNDER SUBSECTION (C)(2) OF THIS SECTION, THE COMMISSION SHALL PROVIDE NOTICE IMMEDIATELY OR REQUIRE THE APPLICANT TO PROVIDE NOTICE IMMEDIATELY TO:

(I) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES IS PROPOSED TO BE CONSTRUCTED;

(II) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES;

(III) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES IS PROPOSED TO BE CONSTRUCTED; AND

(IV) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES.

[(2)**] (3)** The Commission shall hold a public hearing on the application as required by § 7–207 of this subtitle, after:

(i) the receipt of any additional information requested under subsection (c)(2) of this section that the Commission considers necessary; and

(ii) any publication of notice the Commission considers to be proper.

[(3)**] (4)** (i) At the public hearing, the Commission shall ensure presentation of the information and recommendation of the State units specified in paragraph (1) of this subsection and shall allow the official representative of each unit to sit during hearing of all parties.

(ii) Based on the evidence relating to the unit's areas of concern, the Commission shall allow each unit 15 days after the conclusion of the hearing to modify or affirm the unit's initial recommendations.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 501

(House Bill 554)

AN ACT concerning

Environment ~~– Permit Applications – Notice – Neighboring Jurisdictions~~ and Public Utilities – Notice to Neighboring Jurisdictions of Applications

FOR the purpose of requiring the Department of the Environment, on receipt of a certain permit application, to give notice immediately or require the applicant to give notice immediately of the application by certified mail to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring an applicant for a certain incinerator or landfill system to give notice by certified mail of the application, informational meeting, and hearings to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring the Public Service Commission, on receipt of an application for a certificate of public convenience and necessity to construct a certain generating station, overhead transmission line, or qualified generator lead line, to provide notice immediately or require the applicant to provide notice immediately of the application to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring the Commission, on receipt of a certain application for approval to construct a certain generating station, to provide notice immediately or require the applicant to provide notice immediately of the application to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; exempting a certain notice requirement from a certain waiver authorization; requiring the Commission, on receipt of a certain application and certain additional information relating to the construction of a certain generating station and associated overhead transmission lines, to provide notice immediately or require the applicant to provide notice immediately to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; and generally relating to notice requirements for ~~environmental permit~~ applications to the Department of the Environment and the Public Service Commission.

BY repealing and reenacting, without amendments,
Article – Environment
Section 1–602
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–404 and 9–209
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–207(c), 7–207.1, and 7–208(d)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–208(a) through (c)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Environment

1–602.

(a) Wherever this subtitle requires the Department to publish notice:

(1) Notice shall be published at least once a week for 2 consecutive weeks in a daily or weekly newspaper of general circulation in the geographical area in which the proposed facility is located;

(2) The Department may require notice of an informational meeting or a public hearing by mail to each person requesting the meeting or hearing or to their authorized representatives;

(3) The Department may provide additional notice by requiring the notice to be posted at the proposed facility or at public facilities in the geographical area of the proposed facility; and

(4) The applicant shall bear all costs incurred by the Department in providing notice.

(b) (1) In addition to the requirements set forth in subsection (a) of this section and notwithstanding any other requirements in this article, wherever this subtitle requires the Department to publish notice of an application for a permit, the Department shall:

(i) Electronically post the notice of an application for a permit on the Department's website; and

(ii) Provide a method for interested persons to electronically request any additional notices related to an application for a permit.

(2) The notice required under paragraph (1) of this subsection shall include:

(i) The name and address of the applicant;

(ii) A description of the location and the nature of the activity for which the permit has been sought;

(iii) A reference to the applicable statutes or regulations governing the application process;

(iv) The time and place of any scheduled informational meeting or public hearing, or a description of where this information can be found;

(v) A description of where further information about the permit application can be found; and

(vi) Any other information that the Department determines is necessary.

(c) The Department may require the applicant to publish and send the notices required in subsection (a) of this section.

2–404.

(a) This section applies to the following activities:

(1) Construction of a new source;

(2) Replacement of components of an existing permitted source, if the fixed capital cost of the replacement components exceeds one–half of the fixed capital cost that would be required to construct a new source comparable in process to the existing source; and

(3) Modification of an existing permitted source by making a physical or operational change to the source that will result in a significant net increase in emissions of any pollutant from that source.

(b) (1) Before accepting an application for a permit subject to subsection (c) of this section, the Department shall require the applicant to submit documentation:

(i) That demonstrates that the proposal has been approved by the local jurisdiction for all zoning and land use requirements; or

(ii) That the source meets all applicable zoning and land use requirements.

(2) Paragraph (1) of this subsection does not apply to any application for a permit to construct at an existing source unless the existing source is a nonconforming use.

(c) The Department shall comply with the provisions in subsection (d) of this section before issuing a permit for the activities listed in subsection (a) of this section at:

(1) Any source which is required to obtain a permit to operate under regulations adopted under this subtitle;

(2) Any source which is subject to federal standards under 40 C.F.R. Part 60 (New Source Performance Standards), 40 C.F.R. Part 61 (National Emission Standards for Hazardous Air Pollutants), or 40 C.F.R. 52.21 (Prevention of Significant Deterioration); or

(3) Any source that will, after control, discharge 25 tons or more per year of a pollutant regulated under this title in the areas of Baltimore City designated by the United States Post Office as zip code numbers 21225, 21226, and 21230.

(d) **(1) ON RECEIPT OF AN APPLICATION FOR A PERMIT SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT SHALL GIVE NOTICE IMMEDIATELY OR REQUIRE THE APPLICANT TO GIVE NOTICE IMMEDIATELY OF THE APPLICATION BY CERTIFIED MAIL TO:**

(I) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE SOURCE IS LOCATED OR IS PROPOSED TO BE LOCATED;

(II) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN ONE MILE OF THE PROPERTY LINE OF THE SOURCE OR THE PROPOSED LOCATION OF THE SOURCE;

(III) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE SOURCE IS LOCATED OR PROPOSED TO BE LOCATED; AND

(IV) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN ONE MILE OF THE PROPERTY LINE OF THE SOURCE OR THE PROPOSED LOCATION OF THE SOURCE.

[(1)**] (2)** **[**Before**] IN ADDITION TO THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION, BEFORE** issuing a permit subject to subsection (c) of this section, the Department shall:

(i) Comply with the provisions of Title 1, Subtitle 6 of this article; and

(ii) Conduct any public hearing required by Title 1, Subtitle 6 of this article in the county in which the proposed source is located.

[(2)**] (3)** In addition to the requirements under **[**paragraph (1)**] PARAGRAPHS (1) AND (2)** of this subsection, before issuing a permit to construct a source described in subsection (c)(3) of this section, the Department shall require at the expense of the applicant the preparation of an ambient air quality impact analysis regarding the proposed construction.

(e) The provisions of this section do not apply to any permit to construct control equipment on an existing source or to any permit to operate.

9–209.

(a) The applicant shall give notice of the application, the informational meeting, and hearings:

(1) To the public in compliance with Title 1, Subtitle 6 of this article;

(2) **[**To**] BY CERTIFIED MAIL TO** the board of county commissioners or the county council of any county and the chief executive of any county or municipal corporation that the Department determines may be affected by the incinerator for public use or landfill system, **[**by certified mail**] INCLUDING ANY COUNTY OR MUNICIPAL CORPORATION WITHIN ONE MILE OF THE PROPERTY LINE OF THE PROPOSED INCINERATOR FOR PUBLIC USE OR LANDFILL SYSTEM**;

(3) To the Department of Natural Resources, by certified mail;

(4) **[**To**] BY CERTIFIED MAIL TO** each member of the General Assembly representing any part of **[**a**]:**

(I) A county in which the landfill system or incinerator **FOR PUBLIC USE** is located**[**, by certified mail**]; OR**

(II) A COUNTY WITHIN 1 MILE OF THE PROPERTY LINE OF THE PROPOSED LANDFILL SYSTEM OR INCINERATOR FOR PUBLIC USE;

(5) To record owners of real property within 1,000 feet of the property line of the proposed incinerator for public use or landfill system, by certified mail to the addresses of record owners as indicated in the records of the State Department of Assessments and Taxation; and

(6) By posting a notice of the application, the informational meeting, and hearings in a conspicuous space on the site of the proposed incinerator for public use or landfill system.

(b) The local officials notified under subsection (a)(2) of this section shall give notice of the application, the informational meeting, and hearings to all interested agencies of their respective jurisdictions.

(c) To the extent practicable, the Department and other units of the State government shall consolidate the informational meeting and hearings concerning permits for the same landfill system or incinerator for public use.

Article – Public Utilities

7–207.

(c) (1) On receipt of an application for a certificate of public convenience and necessity under this section, the Commission shall provide notice **IMMEDIATELY OR REQUIRE THE APPLICANT TO PROVIDE NOTICE IMMEDIATELY OF THE APPLICATION** to**:**

(I) the Department of Planning**;**

(II) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE IS PROPOSED TO BE CONSTRUCTED;

(III) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE

GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE;

(IV) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE IS PROPOSED TO BE CONSTRUCTED;

(V) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE; and **[**to**]**

(VI) all other interested persons.

(2) The Department of Planning shall forward the application to each appropriate State unit and unit of local government for review, evaluation, and comment regarding the significance of the proposal to State, area–wide, and local plans or programs.

7–207.1.

(a) This section applies to a person who:

(1) constructs a generating station:

(i) designed to provide on–site generated electricity if:

1. the capacity of the generating station does not exceed 70 megawatts; and

2. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; or

(ii) that produces electricity from wind if:

1. the generating station is land–based;

2. the capacity of the generating station does not exceed 70 megawatts;

3. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant

to an interconnection, operation, and maintenance agreement with the local electric company;

4. the Commission provides an opportunity for public comment at a public hearing as provided in subsection **[**(e)**] (F)** of this section; and

5. the generating station's wind turbines are not located within a distance from the Patuxent River Naval Air Station that is determined by regulations adopted by the Commission in coordination with the Commander, Naval Air Warfare Center Aircraft Division, provided that the distance requirement under the regulation is:

A. not greater than is necessary to encompass an area in which utility scale wind turbines could create Doppler radar interference for missions at the Patuxent River Naval Air Station;

B. not greater than 46 miles, measured from location 38.29667N, 76.37668W; and

C. subject to modification if necessary to reflect changes in missions or technology at the Patuxent River Naval Air Station or changes in wind energy technology; or

(2) constructs a generating station if:

(i) the capacity of the generating station does not exceed 25 megawatts;

(ii) the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; and

(iii) at least 10% of the electricity generated at the generating station each year is consumed on–site.

(b) (1) The Commission shall require a person that is exempted from the requirement to obtain a certificate of public convenience and necessity to obtain approval from the Commission under this section before the person may construct a generating station described in subsection (a) of this section.

(2) An application for approval under this section shall:

(i) be made to the Commission in writing on a form adopted by the Commission;

(ii) be verified by oath or affirmation; and

(iii) contain information that the Commission requires, including:

1. proof of compliance with all applicable requirements of the independent system operator; and

2. a copy of an interconnection, operation, and maintenance agreement between the generating station and the local electric company.

(C) ON RECEIPT OF AN APPLICATION FOR APPROVAL UNDER THIS SECTION, THE COMMISSION SHALL PROVIDE NOTICE IMMEDIATELY OR REQUIRE THE APPLICANT TO PROVIDE NOTICE IMMEDIATELY OF THE APPLICATION TO:

(1) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE GENERATING STATION IS PROPOSED TO BE CONSTRUCTED;

(2) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION;

(3) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE GENERATING STATION IS PROPOSED TO BE CONSTRUCTED; AND

(4) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION.

[(c)**] (D)** When reviewing an application for approval under this section, the Commission shall:

(1) ensure the safety and reliability of the electric system;

(2) require the person constructing the generating station to notify the Commission 2 weeks before the first export of electricity from a generating station approved under this section; and

(3) conduct its review and approval in an expeditious manner.

[(d)**] (E) [**The**] EXCEPT FOR THE NOTICE REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE** Commission may waive an element of the

approval process under this section if the Commission determines that the waiver is in the public interest.

[(e)**] (F)** (1) The Commission shall provide an opportunity for public comment and hold a public hearing as provided under this subsection on an application for approval made under subsection (a)(1)(ii) of this section in each county and municipal corporation in which any portion of the construction of a generating station is proposed to be located.

(2) Upon the request of the governing body of a county or municipal corporation in which any portion of the construction of a generating station is proposed to be located, the Commission shall hold the public hearing jointly with the governing body.

(3) Once in each of 2 successive weeks immediately before the hearing date, the Commission, at the expense of the applicant, shall provide weekly notice of the public hearing and opportunity for public comment by advertisement in a newspaper of general circulation in the county or municipal corporation affected by the application.

7–208.

(a) This section applies to any person:

(1) constructing a generating station and its associated overhead transmission lines designed to carry a voltage in excess of 69,000 volts; or

(2) exercising the right of condemnation in connection with the construction.

(b) (1) To obtain the certificate of public convenience and necessity required under § 7–207 of this subtitle for construction under this section, a person shall file an application with the Commission at least 2 years before construction of the facility will commence.

(2) The Commission may waive the 2–year requirement on a showing of good cause.

(c) The applicant shall:

(1) include in an application under this section the information that the Commission requests initially; and

(2) furnish any additional information that the Commission requests subsequently.

(d) (1) On the receipt of an application under this section, together with any additional information requested under subsection (c)(2) of this section, the Commission shall provide notice to:

(i) all interested persons;

(ii) the Department of Agriculture;

(iii) the Department of Business and Economic Development;

(iv) the Department of the Environment;

(v) the Department of Natural Resources;

(vi) the Department of Transportation; and

(vii) the Department of Planning.

(2) ON RECEIPT OF AN APPLICATION UNDER THIS SECTION, AND WHENEVER ADDITIONAL INFORMATION IS RECEIVED UNDER SUBSECTION (C)(2) OF THIS SECTION, THE COMMISSION SHALL PROVIDE NOTICE IMMEDIATELY OR REQUIRE THE APPLICANT TO PROVIDE NOTICE IMMEDIATELY TO:

(I) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES IS PROPOSED TO BE CONSTRUCTED;

(II) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES;

(III) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES IS PROPOSED TO BE CONSTRUCTED; AND

(IV) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES.

[(2)**] (3)** The Commission shall hold a public hearing on the application as required by § 7–207 of this subtitle, after:

(i) the receipt of any additional information requested under subsection (c)(2) of this section that the Commission considers necessary; and

(ii) any publication of notice the Commission considers to be proper.

[(3)**] (4)** (i) At the public hearing, the Commission shall ensure presentation of the information and recommendation of the State units specified in paragraph (1) of this subsection and shall allow the official representative of each unit to sit during hearing of all parties.

(ii) Based on the evidence relating to the unit's areas of concern, the Commission shall allow each unit 15 days after the conclusion of the hearing to modify or affirm the unit's initial recommendations.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 502

(Senate Bill 575)

AN ACT concerning

Environment – Maryland Clean Water Fund – ~~Uses~~ Annual Report

FOR the purpose of requiring the Department of the Environment to ~~use certain penalties or fines that are paid into the Maryland Clean Water Fund to restore or improve certain areas associated with the penalty or fine; making certain technical changes~~ report on the status of the Maryland Clean Water Fund to certain committees of the General Assembly on or before a certain date each year; and generally relating to ~~uses of~~ the Maryland Clean Water Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–320
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

Article – Environment

9–320.

(a) There is a Maryland Clean Water Fund.

(b) The following payments shall be made into the Maryland Clean Water Fund:

(1) All application fees, permit fees, renewal fees, and funds collected by the Department under this subtitle, including any civil or administrative penalty or any fine imposed by a court under the provisions of this subtitle;

(2) Any civil penalty or any fine imposed by a court under the provisions of Title 5, Subtitle 5 of this article relating to water appropriation and use;

(3) Any civil or administrative penalty or any fine imposed by a court under the provisions of Title 4, Subtitle 1 of this article; and

(4) Any fees or funds that the Department collects under Subtitle 2, Part III of this title and §§ 9–269 and 9–270 of this title and any civil or administrative penalty or fine imposed by a court under the provisions of Subtitle 2 of this title.

(c) ~~(1)~~ The Department shall use the Maryland Clean Water Fund for activities that are related to:

~~[~~(1)~~]~~ ~~(I)~~ The identification, monitoring, and regulation of the proper discharge of effluent into the waters of the State including program development of these activities as provided by the State budget;

~~[~~(2)~~]~~ ~~(II)~~ The management, conservation, protection, and preservation of the State's groundwater and surface water including program development of these activities as provided by the State budget;

~~[~~(3)~~]~~ ~~(III)~~ Correcting to the extent possible the failure to implement or maintain erosion and sediment controls;

~~[~~(4)~~]~~ ~~(IV)~~ Administration of the sediment control program;

~~[~~(5)~~]~~ ~~(V)~~ Emergency removal of sewage sludge or mitigation of the effect of any utilization of sewage sludge that the Department finds:

~~[~~(i)~~]~~ ~~1.~~ Endangers public health, safety, or welfare; or

~~[~~(ii)~~]~~ ~~2.~~ Endangers or damages natural resources;

[(6)] ~~(VI)~~ Activities that are:

[(i)] ~~1.~~ Conducted by the Department, by a local health official, or by the local health official's designee under § 9–243(e) of this title; and

[(ii)] ~~2.~~ Related to identifying, monitoring, or regulating the utilization of sewage sludge, including program development; and

[(7)] ~~(VII)~~ Providing supplemental inspections and monitoring of sewage sludge utilization sites by:

[(i)] ~~1.~~ Contracting with a county on request of that county to provide supplemental inspections and monitoring; and

[(ii)] ~~2.~~ Limiting the value of services provided under the contract to no more than 45% of the generator fees for sludge utilized in that county that is generated outside of that county or service area.

~~(2) THE DEPARTMENT SHALL USE ANY CIVIL OR ADMINISTRATIVE PENALTY OR FINE THAT IS PAID INTO THE MARYLAND CLEAN WATER FUND TO RESTORE OR IMPROVE:~~

~~(I) THE AREA ASSOCIATED WITH THE PENALTY OR FINE; OR~~

~~(II) AN AREA THAT IS SIMILAR IN BIOLOGICAL FUNCTION TO THE AREA ASSOCIATED WITH THE PENALTY OR FINE, WITH PREFERENCE GIVEN TO AREAS IN CLOSE PROXIMITY TO THE AREA ASSOCIATED WITH THE PENALTY OR FINE.~~

(d) An expenditure that the Department makes under subsection [(c)(5)] ~~(C)(1)(V)~~ of this section shall be reimbursed to the Department by the sewage sludge utilizer whose sewage sludge utilization brought about the expenditure by:

(1) Endangering public health, safety, or welfare; or

(2) Endangering or damaging natural resources.

(e) In addition to any other legal action authorized by this subtitle, the Attorney General may bring an action against any person who fails to reimburse the Department under subsection (d) of this section to recover any expenditure that the Department makes under subsection [(c)(5)] ~~(C)(1)(V)~~ of this section.

(f) In determining the use of the Maryland Clean Water Fund, priority shall be given to activities relating to the water quality of the Chesapeake Bay and its tributaries.

(g) Notwithstanding any law to the contrary, funds credited and any interest accrued to the Fund:

(1) Shall remain available until expended; and

(2) May not be reverted to the General Fund under any other provision of law.

(H) ON OR BEFORE JANUARY 15 OF EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ENVIRONMENTAL MATTERS COMMITTEE, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON THE STATUS OF THE MARYLAND CLEAN WATER FUND, INCLUDING A DETAILED DESCRIPTION OF ALL REVENUES AND EXPENDITURES OF THE FUND FOR THE PREVIOUS YEAR.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 503

(Senate Bill 587)

AN ACT concerning

Higher Education – Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship

FOR the purpose of establishing the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship; establishing certain eligibility requirements for the scholarship; authorizing the use of the scholarship for certain educational expenses; authorizing the annual amount of the scholarship awarded to be up to a certain percentage of the equivalent tuition and certain fees of a certain institution of higher education; requiring the scholarship recipient to maintain a certain grade point average; providing for the duration of the scholarship; requiring scholarship applicants and recipients to file for certain federal and State financial aid by a certain date; authorizing legislative scholarship funds to be used for certain purposes; providing that funds for the scholarship are as provided in a certain annual budget by the Governor; establishing a certain fund; requiring the Maryland Higher Education Commission to administer a certain fund; providing that the fund is a certain

special, nonlapsing fund that is not subject to a certain section of the State Finance and Procurement Article; requiring the State Treasurer to hold the fund separately and requiring the Comptroller to account for the fund; directing the Commission to use certain gifts and grants for the fund in a certain manner; requiring the Commission to prepare a certain annual report regarding the fund; requiring a recipient of a certain scholarship to work for at least a certain number of years as a certain firefighter or certain rescue squad member in the State after completion of a certain program; requiring certain scholarship recipients to repay certain funds to the Commission under certain circumstances; requiring a certain amount of money to be distributed for the scholarship; repealing the distribution of a certain amount of money to a certain program; repealing the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program; prohibiting the Commission from accepting new applicants for a certain program after a certain date; requiring any funds remaining in the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program after a certain date to be transferred to a certain fund; requiring the Office of Student Financial Assistance to provide certain public notice of the establishment of the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship as a replacement for the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program; defining certain terms; providing for the effective dates of this Act; and generally relating to the establishment of the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–101 and 18–103
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Education
Section 18–603.1
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–301(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing
Article – Education
Section 18–603
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Article – Education

18–101.

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

(b) "Commission" means the Maryland Higher Education Commission.

(c) "Office" means the Office of Student Financial Assistance.

(d) "Secretary" means the Secretary of Higher Education.

18–103.

(a) In this title, "in–State institution of higher education" means a degree–granting institution whose primary campus is located in Maryland and whose authority to grant degrees is conferred by Maryland.

(b) A scholarship, grant, loan, or other student financial assistance awarded by the Office may be used only at an in–State institution of higher education that possesses a certificate of approval from the Commission.

18–603.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ELIGIBLE INSTITUTION" MEANS A PUBLIC OR PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE THAT POSSESSES A CERTIFICATE OF APPROVAL FROM THE COMMISSION.

(3) "FUND" MEANS THE CHARLES W. RILEY FIREFIGHTER AND AMBULANCE AND RESCUE SQUAD MEMBER SCHOLARSHIP FUND.

(4) "SCHOLARSHIP" MEANS THE CHARLES W. RILEY FIREFIGHTER AND AMBULANCE AND RESCUE SQUAD MEMBER SCHOLARSHIP.

(B) THERE IS A CHARLES W. RILEY FIREFIGHTER AND AMBULANCE AND RESCUE SQUAD MEMBER SCHOLARSHIP.

(C) AN INDIVIDUAL MAY APPLY TO THE OFFICE FOR THE SCHOLARSHIP IF THE INDIVIDUAL:

(1) IS A RESIDENT OF MARYLAND;

(2) (I) IS ACCEPTED FOR ADMISSION OR ENROLLED IN THE REGULAR UNDERGRADUATE PROGRAM AT AN ELIGIBLE INSTITUTION; OR

(II) IS ACCEPTED FOR ADMISSION OR ENROLLED IN A 2–YEAR TERMINAL CERTIFICATE PROGRAM IN WHICH THE COURSE WORK IS ACCEPTABLE FOR TRANSFER CREDIT FOR AN ACCREDITED BACCALAUREATE PROGRAM IN AN ELIGIBLE INSTITUTION; AND

(3) IS ACTIVELY ENGAGED AS A CAREER OR VOLUNTEER FIREFIGHTER OR AMBULANCE OR RESCUE SQUAD MEMBER IN AN ORGANIZED FIRE DEPARTMENT OR AMBULANCE OR RESCUE SQUAD IN THE STATE.

(D) A SCHOLARSHIP AWARDED UNDER THIS SECTION:

(1) MAY BE USED FOR THE TUITION AND MANDATORY FEES AT ANY ELIGIBLE INSTITUTION; AND

(2) ~~(I)~~ ~~MAY~~ ~~FOR A CAREER FIREFIGHTER OR AMBULANCE OR RESCUE SQUAD MEMBER, MAY~~ *MAY* BE UP TO 100% OF THE EQUIVALENT ANNUAL TUITION AND MANDATORY FEES OF A RESIDENT UNDERGRADUATE STUDENT AT THE 4–YEAR PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY SYSTEM OF MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE HIGHEST ANNUAL EXPENSES FOR A FULL–TIME RESIDENT UNDERGRADUATE FOR COURSES CREDITED TOWARD A DEGREE IN FIRE SERVICE TECHNOLOGY ~~OR~~, EMERGENCY MEDICAL TECHNOLOGY, FIRE SERVICE MANAGEMENT, OR PUBLIC SAFETY ADMINISTRATION WITH A MINOR OR CONCENTRATION IN FIRE SERVICE TECHNOLOGY OR FIRE SERVICE ~~MANAGEMENT; AND~~ *MANAGEMENT*.

~~(II) FOR A VOLUNTEER FIREFIGHTER OR AMBULANCE OR RESCUE SQUAD MEMBER, MAY BE UP TO 100% OF THE EQUIVALENT ANNUAL TUITION AND MANDATORY FEES OF A RESIDENT UNDERGRADUATE STUDENT AT THE 4–YEAR PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY SYSTEM OF MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE HIGHEST ANNUAL EXPENSES FOR A FULL–TIME RESIDENT UNDERGRADUATE FOR COURSES CREDITED TOWARD A DEGREE.~~

(E) A SCHOLARSHIP RECIPIENT SHALL MAINTAIN A GRADE POINT AVERAGE OF AT LEAST 2.5 ON A 4.0 SCALE.

(F) EACH RECIPIENT OF A SCHOLARSHIP UNDER THIS SECTION MAY HOLD THE AWARD FOR 5 YEARS OF FULL–TIME STUDY OR 8 YEARS OF PART–TIME STUDY.

(G) A SCHOLARSHIP APPLICANT OR RECIPIENT SHALL FILE FOR FEDERAL AND STATE FINANCIAL AID BY MARCH 1 OF EACH YEAR.

(H) A SENATOR OR DELEGATE MAY AUTHORIZE THE OFFICE TO AWARD ALL OR A PORTION OF THE FUNDS AUTHORIZED UNDER SUBTITLES 4 AND 5 OF THIS TITLE TO ELIGIBLE RECIPIENTS OF SCHOLARSHIPS AWARDED UNDER THIS SECTION.

(I) (1) FUNDS FOR THE CHARLES W. RILEY FIREFIGHTER AND AMBULANCE AND RESCUE SQUAD MEMBER SCHOLARSHIP SHALL BE AS PROVIDED IN THE ANNUAL BUDGET OF THE COMMISSION BY THE GOVERNOR.

(2) THERE IS A CHARLES W. RILEY FIREFIGHTER AND AMBULANCE AND RESCUE SQUAD MEMBER SCHOLARSHIP FUND IN THE COMMISSION.

(3) THE COMMISSION SHALL ADMINISTER THE FUND.

(4) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(5) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(6) THE COMMISSION:

(I) MAY ACCEPT ANY GIFT OR GRANT FROM ANY PERSON OR CORPORATION FOR THE FUND;

(II) SHALL USE ANY GIFT OR GRANT THAT IT RECEIVES FOR A SCHOLARSHIP FROM THE FUND; AND

(III) SHALL DEPOSIT ANY GIFT OR GRANT THAT IT RECEIVES FOR THE FUND WITH THE STATE TREASURER.

(7) (I) AT THE END OF THE FISCAL YEAR, THE COMMISSION SHALL PREPARE AN ANNUAL REPORT ON THE FUND THAT INCLUDES AN ACCOUNTING OF ALL FINANCIAL RECEIPTS AND EXPENDITURES TO AND FROM THE FUND.

(II) THE COMMISSION SHALL SUBMIT A COPY OF THE REPORT TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE.

(J) A RECIPIENT OF A SCHOLARSHIP SHALL WORK FOR AT LEAST 1 YEAR AS A VOLUNTEER OR CAREER FIREFIGHTER OR AMBULANCE OR RESCUE SQUAD MEMBER IN AN ORGANIZED FIRE DEPARTMENT OR AMBULANCE OR RESCUE SQUAD IN THE STATE AFTER COMPLETION OF AN ELIGIBLE PROGRAM IN AN ELIGIBLE INSTITUTION.

(K) A SCHOLARSHIP RECIPIENT SHALL REPAY THE COMMISSION THE FUNDS RECEIVED UNDER THIS SECTION IF THE RECIPIENT DOES NOT PERFORM THE SERVICE OBLIGATION REQUIRED UNDER SUBSECTION (J) OF THIS SECTION.

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

Article – Courts and Judicial Proceedings

7–301.

(f) (1) This subsection does not apply to a traffic case under § 21–202.1, § 21–809, or § 21–810 of the Transportation Article or to a parking or impounding case.

(2) In a traffic case under subsection (a)(1) of this section the court shall add a $7.50 surcharge to the court costs imposed by the court.

(3) (i) The Comptroller annually shall credit the surcharges collected under this subsection as provided in this paragraph.

(ii) An amount annually as set forth in the State budget shall be distributed for the **[**Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program**] CHARLES W. RILEY FIREFIGHTER AND AMBULANCE AND RESCUE SQUAD MEMBER SCHOLARSHIP** as established in § **[**18–603**] 18–603.1** of the Education Article.

(iii) After the distribution under subparagraph (ii) of this paragraph, $200,000 shall be distributed to the Maryland State Firemen's Association.

(iv) After the distribution under subparagraphs (ii) and (iii) of this paragraph and until a total of $20,000,000 has been distributed to the Volunteer Company Assistance Fund since the establishment of the surcharge under this subsection, the remainder shall be credited to the Volunteer Company Assistance Fund to be used in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article.

(v) After a total of $20,000,000 has been distributed to the Volunteer Company Assistance Fund, 100% of the remainder shall be credited to the Maryland Emergency Medical Systems Operation Fund established under § 13–955 of the Transportation Article.

(vi) On or before September 1 of each year until $20,000,000 has been distributed to the Volunteer Company Assistance Fund, the State Court Administrator shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2–1246 of the State Government Article, on the amount of revenue distributed to the Volunteer Company Assistance Fund under this paragraph.

Article – Education

[18–603.

(a) There is a Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program under this section.

(b) As provided in the State budget, any career or volunteer firefighter or ambulance or rescue squad member who is a resident of Maryland shall receive partial or full and complete reimbursement by the Office for tuition costs not to exceed the resident tuition rates at the 4–year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore, with the highest annual expenses for a full–time resident undergraduate, for courses credited toward a degree in fire service technology or emergency medical technology.

(c) (1) The tuition reimbursement application shall be filed with the Office no later than July 1 immediately following the academic year for which tuition reimbursement is sought.

(2) Payment shall be made 1 year after successful completion of each academic year.

(3) Payment may be made only if the applicant is still employed or actively engaged as a career or volunteer firefighter or ambulance or rescue squad member in an organized fire department or ambulance or rescue squad in this State.**]**

SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Higher Education Commission may not accept new applications for the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program after July 1, 2014.

SECTION 4. AND BE IT FURTHER ENACTED, That on October 2, 2015, any funds remaining in the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program shall be transferred to the Charles W. Riley Firefighter and

Ambulance and Rescue Squad Member Scholarship Fund as enacted by Section 1 of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That the Office of Student Financial Assistance in the Maryland Higher Education Commission shall provide the public with notice of the establishment of the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship as a replacement for the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program, including posting information on the Office of Student Financial Assistance of the Maryland Higher Education Commission Web site and conducting outreach activities to fire departments and ambulance and rescue squads in the State.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2015.

SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 504

(Senate Bill 599)

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

FOR the purpose of prohibiting a prime contractor from requiring certain bonding from a subcontractor on certain procurement contracts that is more stringent than certain bonding requirements for prime contractors on certain procurement contracts under a certain circumstance; ~~requiring certain prime contractors and the State to be dual obligees on certain bonds under a certain circumstance;~~ ~~establishing certain underwriting requirements for certain bonds that are provided by subcontractors; requiring a subcontractor to provide certain evidence with a certain bond under certain circumstances; requiring a procurement officer to make a certain determination and to obtain advice from the Office of the Attorney General under certain circumstances;~~ requiring *a contractor to accept* certain ~~bonds provided by~~ *bonding from* a subcontractor ~~to be accepted by a prime contractor~~ under certain circumstances; *requiring certain agencies to provide certain notice on bid security to certain bidders;* and generally relating to bonding requirements for subcontractors on procurement contracts with the State.

BY adding to

Article – State Finance and Procurement
Section 13–227
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Finance and Procurement

13–227.

(A) IF A PRIME CONTRACTOR REQUIRES A SUBCONTRACTOR TO PROVIDE A BID, PERFORMANCE, OR PAYMENT BOND ON A PROCUREMENT CONTRACT FOR SERVICES, SUPPLIES, OR CONSTRUCTION–RELATED SERVICES WITH THE STATE~~:~~

~~(1)~~ , THE PRIME CONTRACTOR MAY NOT REQUIRE BID, PERFORMANCE, OR PAYMENT BONDING FROM ~~A~~ *THE* SUBCONTRACTOR THAT IS MORE STRINGENT THAN THE BONDING REQUIREMENTS IN §§ 13–207 AND 13–216 OF THIS SUBTITLE AND § 17–104 OF THIS ARTICLE~~; AND~~

~~(2) THE PRIME CONTRACTOR AND THE STATE SHALL BE DUAL OBLIGEES ON THE BOND~~.

(B) A BID, PERFORMANCE, OR PAYMENT BOND THAT IS PROVIDED BY A SUBCONTRACTOR UNDER SUBSECTION (A) OF THIS SECTION SHALL BE ~~UNDERWRITTEN BY:~~

~~(1) A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE;~~

~~(2) AN INDIVIDUAL SURETY THAT MEETS THE REQUIREMENTS OF THIS SECTION; OR~~

~~(3) THE MARYLAND SMALL BUSINESS DEVELOPMENT FINANCING AUTHORITY ESTABLISHED IN TITLE 5, SUBTITLE 5 OF THE ECONOMIC DEVELOPMENT ARTICLE~~ ACCEPTED BY THE PRIME CONTRACTOR IF ~~IT~~ *THE BOND* WOULD BE ACCEPTED BY THE STATE ~~IF~~ *AND* PROVIDED BY ~~A PRIME CONTRACTOR~~*:*

(1) A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE; OR

(2) THE MARYLAND SMALL BUSINESS DEVELOPMENT FINANCING AUTHORITY ESTABLISHED IN TITLE 5, SUBTITLE 5 OF THE ECONOMIC DEVELOPMENT ARTICLE.

~~(C) IF A SUBCONTRACTOR ELECTS TO PROVIDE A BOND UNDERWRITTEN BY AN INDIVIDUAL SURETY IN ACCORDANCE WITH SUBSECTION (B)(2) OF THIS SECTION:~~

~~(1) THE SUBCONTRACTOR SHALL PROVIDE EVIDENCE WITH THE BOND THAT IS SATISFACTORY TO THE UNIT THAT:~~

~~(I) THE SUBCONTRACTOR HAS BEEN DENIED CREDIT BY A SURETY COMPANY WITHIN THE PAST 3 YEARS FROM THE DATE THE BOND WAS SUBMITTED, BASED ON A GOOD FAITH APPLICATION BY THE SUBCONTRACTOR; AND~~

~~(II) THE INDIVIDUAL SURETY TRANSACTS BUSINESS ONLY THROUGH AN INSURANCE AGENCY LICENSED BY THE MARYLAND INSURANCE ADMINISTRATION; AND~~

~~(2) THE PROCUREMENT OFFICER SHALL:~~

~~(I) DETERMINE THE ACCEPTABILITY OF AN INDIVIDUAL PROPOSED AS A SURETY AND ENSURE THAT THE SURETY'S PLEDGED ASSETS ARE SUFFICIENT TO COVER THE BOND REQUIRED BY THE SOLICITATION; AND~~

~~(II) OBTAIN THE ADVICE OF THE OFFICE OF THE ATTORNEY GENERAL AS TO THE ADEQUACY OF THE DOCUMENTS PLEDGING THE ASSETS BEFORE ACCEPTING THE BOND.~~

(C) IN A SOLICITATION OR PRE–BID CONFERENCE FOR A PROCUREMENT CONTRACT FOR SERVICES, SUPPLIES, OR CONSTRUCTION RELATED SERVICES WITH THE STATE, THE PROCUREMENT AGENCY SHALL PROVIDE NOTICE TO ALL BIDDERS THAT BID SECURITY SHALL BE:

(1) A BOND PROVIDED BY A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THIS STATE;

(2) A BOND PROVIDED BY AN INDIVIDUAL SURETY THAT MEETS THE REQUIREMENTS OF §§ 13–207 AND 13–216 OF THIS SUBTITLE AND § 17–104 OF THIS ARTICLE;

(3) CASH; OR

(4) ANOTHER FORM OF SECURITY:

(I) AUTHORIZED BY FEDERAL OR STATE REGULATION; OR

(II) THAT IS SATISFACTORY TO THE UNIT AWARDING THE CONTRACT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ *July* 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 505

(House Bill 585)

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

FOR the purpose of prohibiting a prime contractor from requiring certain bonding from a subcontractor on certain procurement contracts that is more stringent than certain bonding requirements for prime contractors on certain procurement contracts under a certain circumstance; ~~requiring certain prime contractors and the State to be dual obligees on certain bonds under a certain circumstance; establishing certain underwriting requirements for certain bonds that are provided by subcontractors; requiring a subcontractor to provide certain evidence with a certain bond under certain circumstances; requiring a procurement officer to make a certain determination and to obtain advice from the Office of the Attorney General under certain circumstances;~~ requiring a contractor to accept certain bonding from a subcontractor under certain circumstances; requiring certain agencies to provide certain notice on bid security to certain bidders; and generally relating to bonding requirements for subcontractors on procurement contracts with the State.

BY adding to
Article – State Finance and Procurement
Section 13–227
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Article – State Finance and Procurement

13–227.

(A) IF A PRIME CONTRACTOR REQUIRES A SUBCONTRACTOR TO PROVIDE A BID, PERFORMANCE, OR PAYMENT BOND ON A PROCUREMENT CONTRACT FOR SERVICES, SUPPLIES, OR CONSTRUCTION–RELATED SERVICES WITH THE STATE~~:~~

~~(1)~~, THE PRIME CONTRACTOR MAY NOT REQUIRE BID, PERFORMANCE, OR PAYMENT BONDING FROM ~~A~~ THE SUBCONTRACTOR THAT IS MORE STRINGENT THAN THE BONDING REQUIREMENTS IN §§ 13–207 AND 13–216 OF THIS SUBTITLE AND § 17–104 OF THIS ARTICLE~~; AND~~

~~(2) THE PRIME CONTRACTOR AND THE STATE SHALL BE DUAL OBLIGEES ON THE BOND~~.

(B) A BID, PERFORMANCE, OR PAYMENT BOND THAT IS PROVIDED BY A SUBCONTRACTOR UNDER SUBSECTION (A) OF THIS SECTION SHALL BE ~~UNDERWRITTEN~~ ACCEPTED BY THE PRIME CONTRACTOR IF THE BOND WOULD BE ACCEPTED BY THE STATE AND PROVIDED BY:

(1) A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE; OR

~~(2) AN INDIVIDUAL SURETY THAT MEETS THE REQUIREMENTS OF THIS SECTION; OR~~

~~(3)~~ (2) THE MARYLAND SMALL BUSINESS DEVELOPMENT FINANCING AUTHORITY ESTABLISHED IN TITLE 5, SUBTITLE 5 OF THE ECONOMIC DEVELOPMENT ARTICLE.

~~(C) IF A SUBCONTRACTOR ELECTS TO PROVIDE A BOND UNDERWRITTEN BY AN INDIVIDUAL SURETY IN ACCORDANCE WITH SUBSECTION (B)(2) OF THIS SECTION:~~

~~(1) THE SUBCONTRACTOR SHALL PROVIDE EVIDENCE WITH THE BOND THAT IS SATISFACTORY TO THE UNIT THAT:~~

~~(I) THE SUBCONTRACTOR HAS BEEN DENIED CREDIT BY A SURETY COMPANY WITHIN THE PAST 3 YEARS FROM THE DATE THE BOND WAS SUBMITTED, BASED ON A GOOD FAITH APPLICATION BY THE SUBCONTRACTOR; AND~~

~~(II) THE INDIVIDUAL SURETY TRANSACTS BUSINESS ONLY THROUGH AN INSURANCE AGENCY LICENSED BY THE MARYLAND INSURANCE ADMINISTRATION; AND~~

~~(2) THE PROCUREMENT OFFICER SHALL:~~

~~(I) DETERMINE THE ACCEPTABILITY OF AN INDIVIDUAL PROPOSED AS A SURETY AND ENSURE THAT THE SURETY'S PLEDGED ASSETS ARE SUFFICIENT TO COVER THE BOND REQUIRED BY THE SOLICITATION; AND~~

~~(II) OBTAIN THE ADVICE OF THE OFFICE OF THE ATTORNEY GENERAL AS TO THE ADEQUACY OF THE DOCUMENTS PLEDGING THE ASSETS BEFORE ACCEPTING THE BOND.~~

(C) IN A SOLICITATION OR PRE–BID CONFERENCE FOR A PROCUREMENT CONTRACT FOR SERVICES, SUPPLIES, OR CONSTRUCTION RELATED SERVICES WITH THE STATE, THE PROCUREMENT AGENCY SHALL PROVIDE NOTICE TO ALL BIDDERS THAT BID SECURITY SHALL BE:

(1) A BOND PROVIDED BY A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THIS STATE;

(2) A BOND PROVIDED BY AN INDIVIDUAL SURETY THAT MEETS THE REQUIREMENTS OF §§ 13–207 AND 13–216 OF THIS SUBTITLE AND § 17–104 OF THIS ARTICLE;

(3) CASH; OR

(4) ANOTHER FORM OF SECURITY:

(I) AUTHORIZED BY FEDERAL OR STATE REGULATION; OR

(II) THAT IS SATISFACTORY TO THE UNIT AWARDING THE CONTRACT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2013.

Approved by the Governor, May 16, 2013.

Chapter 506

(Senate Bill 613)

AN ACT concerning

Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds

FOR the purpose of allowing an individual who files an income tax return electronically to elect to use a certain income tax refund to purchase certain bonds; specifying that the individual must make the designation in certain increments; requiring the Comptroller to send a certain portion of the individual's refund to the individual; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to the State income tax and income tax refunds.

BY adding to
Article – Tax – General
Section 10–804(k)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Tax – General

10–804.

(K) (1) AN INDIVIDUAL WHO FILES AN INCOME TAX RETURN ELECTRONICALLY MAY ELECT TO USE ALL OR A PORTION OF THE INDIVIDUAL'S INCOME TAX REFUND TO PURCHASE U.S. SERIES I SAVINGS BONDS.

(2) IF AN INDIVIDUAL ELECTS TO PURCHASE U.S. SERIES I SAVINGS BONDS UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) THE INDIVIDUAL SHALL MAKE THE DESIGNATION IN $50 INCREMENTS; AND

(II) THE COMPTROLLER SHALL SEND ANY REMAINING PORTION OF THE INDIVIDUAL'S REFUND TO THE INDIVIDUAL.

(3) THE COMPTROLLER SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2014.

Approved by the Governor, May 16, 2013.