

Approved May 7, 1973.

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CHAPTER 299

(House Bill 319)

AN ACT to add new Section 130A(d-1) to Article 77 of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Public Education," subtitle "Chapter 9. Finance and Reports," to allow the Board of Public Works, by rule, to require that the proceeds from the sale or other disposition of certain public school property may be used toward public school construction or capital improvement costs and to provide for certain exceptions.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 130A(d-1) be and it is hereby added to Article 77 of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Public Education," subtitle "Chapter 9. Finance and Reports," to follow immediately after Section 130A(d) thereof and to read as follows:

130A.

(D-1)

IF PUBLIC SCHOOL PROPERTY IS SOLD OR OTHERWISE DISPOSED OF BY A LOCAL SUBDIVISION OR BOARD OF EDUCATION, WHETHER BY EXERCISE OF THE POWER OF EMINENT DOMAIN, THE THREAT THEREOF, OR OTHERWISE, THE BOARD OF PUBLIC WORKS MAY BY RULE OR REGULATION REQUIRE THE SUBDIVISION OR BOARD OF EDUCATION TO LOSE ALL OR PART OF THE NET PROCEEDS RECEIVED TOWARD THE COST OF PUBLIC SCHOOL CONSTRUCTION OR CAPITAL IMPROVEMENT PROJECTS. THE BOARD OF PUBLIC WORKS, BY RULE AND REGULATION, MAY REQUIRE THAT THE PROCEEDS FROM THE SALE, LEASE OR DISPOSAL AFTER JULY 1, 1973 OF ANY PUBLIC SCHOOL BUILDING, CONSTRUCTED UNDER A CONTRACT EXECUTED ON OR AFTER FEBRUARY 1, 1971 AND PAID FOR PRIMARILY WITH STATE FUNDS IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, RECEIVED BY A COUNTY OR BALTIMORE CITY SHALL BE UTILIZED SOLELY AS PART OF THE STATE FUNDING OF THE CONSTRUCTION OF FUTURE PUBLIC SCHOOL BUILDINGS WITHIN THE SUBDIVISION IN WHICH THE SALE, LEASE, OR DISPOSAL OCCURRED. PROVIDED, THAT THE PORTION OF THE PROCEEDS FROM THE SALE, LEASE OR DISPOSAL AS FAIRLY REPRESENTS THE COST APPRAISED VALUE OF LAND AND THAT PART OF THE COST OF THE PUBLIC SCHOOL BUILDING FUNDED BY THE COUNTY OR BALTIMORE CITY, SHALL REMAIN THE FUNDS OF THE COUNTY OR BALTIMORE CITY. PROVIDED FURTHER THAT THIS SUBSECTION SHALL NOT APPLY TO THE PROCEEDS FROM THE SALE, LEASE OR DISPOSITION OF PUBLIC SCHOOL BUILDINGS CONSTRUCTED UNDER CONTRACTS EXECUTED PRIOR TO FEBRUARY 1, 1971.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.