

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

Article - State Finance and Procurement

7-315.

(A) THERE IS AN ENERGY OVERCHARGE RESTITUTION FUND.

(B) (1) THE FUND IS A CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT TO THE PROVISIONS OF § 7-302 OF THIS SUBTITLE.

(2) THERE SHALL BE CREDITED TO THE FUND:

(I) ALL FEDERAL FUND REVENUES CONSISTING OF REFUNDS RECEIVED BY THE STATE FROM ANY SOURCE AS A DIRECT OR INDIRECT RESULT OF LITIGATION OR ADMINISTRATIVE PROCEEDINGS PROSECUTED BY THE U.S. DEPARTMENT OF ENERGY TO REDRESS VIOLATIONS OF FEDERAL PETROLEUM PRICING REGULATIONS UNDER THE EMERGENCY PETROLEUM ALLOCATION ACT, 15 U.S.C. §§ 751 THROUGH 756, AND THE ENERGY POLICY AND CONSERVATION ACT, 15 U.S.C. §§ 757 THROUGH 760H; AND

(II) ALL SPECIAL FUND REVENUES RECEIVED AND ACCEPTED AS A GIFT UNDER § 2-201 OF THIS ARTICLE THAT ARE EXPRESSLY GIVEN FOR THE PURPOSE OF ENERGY ASSISTANCE OR WEATHERIZATION FOR INDIVIDUALS IN THIS STATE.

(3) REVENUES RECEIVED BY THE STATE AS A RESULT OF CLAIMS REPRESENTING PURCHASES BY THE STATE ARE EXCLUDED FROM THE FUND.

(C) THE TREASURER SHALL:

(1) INVEST AND REINVEST THE FUND IN THE SAME MANNER AS OTHER STATE FUNDS; AND

(2) CREDIT ANY INVESTMENT EARNINGS TO THE FUND.

(D) EXPENDITURES FROM THE FUND SHALL BE MADE BY:

(1) AN APPROPRIATION IN THE ANNUAL STATE BUDGET; OR

(2) BY BUDGET AMENDMENT IN ACCORDANCE WITH § 7-209 OF THIS ARTICLE, PROVIDED THAT ANY BUDGET AMENDMENT SHALL BE SUBMITTED TO AND APPROVED BY LEGISLATIVE POLICY COMMITTEE PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS.

(E) IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (F) OF THIS SECTION, THE SECRETARY OF BUDGET AND FISCAL PLANNING OR THE DESIGNEE OF THE SECRETARY SHALL:

(1) ADMINISTER THE FUND;