

5-904.

(b) (1) There is an Advance Option and Purchase Fund.

(2) A portion of funds available under this program for State projects may be appropriated in the State budget for the Advance Option and Purchase Fund.

(3) (I) The Department may use funds available in the Advance Option and Purchase Fund to obtain options to purchase lands in targeted areas or to otherwise purchase land.

(II) NOTWITHSTANDING THE PROVISIONS OF § 10-306 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, ANY MONEYS RECEIVED BY THE STATE AS CONSIDERATION FOR PROPERTY ACQUIRED UNDER THIS SUBTITLE SHALL BE DEPOSITED IN THE ADVANCE OPTION AND PURCHASE FUND.

(4) Funds available in the Advance Option and Purchase Fund shall be allocated in the following order of priority:

(i) First to obtain an option on any parcel of land in a targeted area in advance of purchase, or to purchase a specific tract of land in a targeted area; and

(ii) Then to purchase property on which an option has been obtained or any other parcel of land.

(5) (i) [The] BEFORE THE Department [may not make expenditures] MAKES AN EXPENDITURE from the Advance Option and Purchase [Fund until] FUND, THE DEPARTMENT SHALL SUBMIT THE PROPOSED EXPENDITURE WITH COMPLETE SUPPORTING DOCUMENTATION TO the budget committees of the General Assembly [have approved the release of the funds] FOR REVIEW AND COMMENT BY THOSE COMMITTEES.

(ii) The budget committees [of the General Assembly shall be deemed to have approved the release of funds for a project if they fail to respond within 45 days after written notice by the Department of a proposed project] HAVE 45 DAYS AFTER RECEIPT OF THE DOCUMENTATION TO SUBMIT COMMENTS TO THE BOARD OF PUBLIC WORKS.

(6) Any expenditure of funds from the Advance Option and Purchase Fund is subject to the approval of the Board of Public Works.

(c) (1) There is a Bay Access Areas Fund.

(2) A portion of the funds available under this program for State projects may be appropriated in the State budget for the Bay Access Areas Fund.

(3) The Department may use funds available in the Bay Access Areas Fund to purchase sites that provide public access to a body of water.

(4) In purchasing sites under this subsection, the Department shall give preference to sites that:

(i) 1. Are directly on the bay; or