

- ~~1. TWO THIRDS TO THE FUND; AND~~
- ~~2. ONE THIRD TO THE GENERAL FUND.~~

~~(2) SUBJECT TO THE APPROVAL OF THE SECRETARY, THE CHIEF OF INFORMATION TECHNOLOGY SHALL DETERMINE WHETHER AN AGENCY IS ELIGIBLE TO RECEIVE FUNDS UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.~~

~~(G) THE FUND MAY NOT CONSIST OF ANY MONEYS RECEIVED BY THE DEPARTMENT OF TRANSPORTATION OR THE MARYLAND TRANSPORTATION AUTHORITY.~~

[(d)](E) [The] EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION AND SUBJECT TO THE LIMITATIONS OF SUBSECTION (H) OF THIS SECTION, THE Fund consists of:

- (1) all moneys appropriated in the State budget to the Fund;
- (2) [all moneys paid into the Fund as provided in § 3-406 of this article; and
- (3) all moneys received upon disposition of information processing equipment purchased from the Fund.] MONEYS RECEIVED FROM THE SALE, LEASE, OR EXCHANGE OF COMMUNICATION SITES OR COMMUNICATION FREQUENCIES FOR INFORMATION TECHNOLOGY PURPOSES AS DETERMINED BY THE CHIEF OF INFORMATION TECHNOLOGY AND AS APPROVED BY THE SECRETARY;

(3) MONEYS RECEIVED AS COMMISSIONS, REBATES, REFUNDS, RATE REDUCTIONS, OR TELECOMMUNICATION BYPASS AGREEMENTS RESULTING FROM INFORMATION TECHNOLOGY SERVICES OR PURCHASES;

(4) EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, THAT PORTION OF MONEYS EARNED FROM PAY PHONE COMMISSIONS TO THE EXTENT THAT THE COMMISSION RATES EXCEED THOSE IN EFFECT IN DECEMBER 1993; AND

(5) ANY MONEYS RECEIVED AND ACCEPTED AS GIFTS, CONTRIBUTIONS, OR GRANTS AS AUTHORIZED UNDER SUBSECTION (I) OF THIS SECTION.

(F) THE FUND DOES NOT INCLUDE ANY MONEYS:

(1) RECEIVED BY THE DEPARTMENT OF TRANSPORTATION, MARYLAND TRANSPORTATION AUTHORITY, OR MARYLAND PUBLIC BROADCASTING COMMISSION;

(2) RECEIVED BY THE JUDICIAL OR LEGISLATIVE BRANCHES OF STATE GOVERNMENT; OR

(3) GENERATED FROM PAY PHONE COMMISSIONS THAT ARE CREDITED TO OTHER ACCOUNTS OR FUNDS IN ACCORDANCE WITH OTHER PROVISIONS OF LAW OR ARE AUTHORIZED FOR OTHER PURPOSES IN THE BUDGET OR THROUGH AN APPROVED BUDGET AMENDMENT.

[(e)](H) (G) (1) The State Treasurer shall hold and the State Comptroller shall account for the Fund.