

- (2) Any funds in the Mental Hygiene Community-Based Services Fund:
- (i) May not supplant resources for existing community services; and
  - (ii) Shall be used to meet the needs of:
    1. Individuals leaving facilities to enter community-based services; and
    2. Individuals who are identified but not yet provided with community-based services.
- (c) The Secretary shall adopt regulations for the management and use of the money in the Mental Hygiene Community-Based Services Fund.
- (d) On or before January 1 of each year, the Secretary shall prepare a report to be submitted to the General Assembly and the Department of Fiscal Services on the Mental Hygiene Community-Based Services Fund.
- (e) Any unspent portions of the Mental Hygiene Community-Based Services Fund and any interest earned on money in the Waiting List Equity Fund may not be transferred or revert to the General Fund of the State but shall remain in the Mental Hygiene Community-Based Services Fund to be used for the purposes specified in this section.

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

**Chapter 401 of the Acts of 1994**

[SECTION 2. AND BE IT FURTHER ENACTED, That the Governor should include in the annual Budget Bill a proposed General Fund appropriation to the Waiting List Equity Fund and the Community-based Services Fund, as appropriate, the total amount of all proceeds from the sale of property and equipment assets resulting from the closure of a Developmental Disabilities Administration facility or a mental hygiene facility. If the annual Budget Bill does not include a proposed General Fund appropriation equal to or greater than the amount of all proceeds from the sale of property and equipment assets resulting from the closure of the appropriate facilities, the Governor shall report to the General Assembly, subject to § 2-1312 of the State Government Article, as to why the proposed General Fund appropriation was less than the total amount of the proceeds.]

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994. [It shall remain effective for a period of 4 years and, at the end of September 30, 1998, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

SECTION 3. AND BE IT FURTHER ENACTED, That the Governor shall include in the annual Budget Bill a General Fund appropriation from the Waiting List Equity Fund and the Community-Based Services Fund, as appropriate, for the purpose of serving individuals on the waiting lists for services from the Developmental Disabilities Administration and the Mental Hygiene Administration.