

(1) Funds sufficient to pay all amounts due under the contract during the first fiscal year in which the contract is effective are or will be available and have been appropriated and can be used for this purpose;

(2) The contract includes a termination provision which permits the purchasing or leasing county to terminate the contract if funds sufficient to pay all amounts due under the contract for any fiscal year are not appropriated for this purpose for the fiscal year. However, the contract may provide that termination of the contract shall be ineffective if the county purchases or leases personal property similar or functionally related to that purchased or leased under the contract within a period of time after termination, as specified in the contract;

(3) The contract provides that, absent a default in payment by the purchasing or leasing county under the contract, any obligation to pay amounts due under the contract shall be limited to funds appropriated for this purpose for that fiscal year; and

(4) The contract provides that, in the event of default in payment by the county under the contract, any obligation to pay amounts due under the contract shall be limited to funds appropriated for this purpose for that fiscal year, amounts realized from the personal property purchased or leased under the contract, and any other funds legally available for this purpose.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1999.

Approved May 13, 1999.

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## CHAPTER 327

### (Senate Bill 211)

AN ACT concerning

#### **Creation of a State Debt - Baltimore County - Winfield Elementary PAL/Recreation Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$600,000~~ \$525,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; and providing generally for the issuance and sale of bonds evidencing the loan.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Baltimore County - Winfield Elementary PAL/Recreation Center Loan of 1999 in a total