

(c) Notwithstanding any other provision of law, for fiscal years 2002 and 2003 only, there shall be credited to the Fund any disproportionate share hospital payments received by the State from the federal government:

(1) During fiscal year 2002 in excess of \$19,940,000; and

(2) During fiscal year 2003 in excess of \$10,238,000.

(d) (1) Except as otherwise provided in this Act, moneys in the Fund shall be retained in reserve and may not be spent for any purpose.

(2) Subject to the budget amendment procedure provided for in § 7-209 of the State Finance and Procurement Article, moneys in the Fund may be used only for the purpose of reducing the deficits accumulated prior to fiscal year 2003 in the State's fee-for-service public mental health system.

(e) On July 1, 2003 the entire balance remaining in the Fund shall be credited to the General Fund of the State.

SECTION 23. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, notwithstanding the provisions of § 13-209(c)(1) of the Tax - Property Article as enacted under Section 3 of this Act, for each of the fiscal years beginning July 1, 2002 and July 1, 2003 only, the balance of the revenue in the special fund established under § 13-209 of the Tax - Property Article, not required under § 13-209(b) of the Tax - Property Article shall be allocated in the State budget as follows:

(1) \$52,068,585 shall be allocated to the General Fund of the State; and

(2) The remainder shall be allocated as provided in § 13-209(d) of the Tax - Property Article as enacted under Section 3 of this Act.

(b) Subsection (a) of this section is contingent on the taking effect of Chapter ____ (S.B.316/H.B.557) of the Acts of the General Assembly of 2002, and if Chapter ____ does not become effective, subsection (a) of this section shall be null and void without the necessity of further action by the General Assembly.

SECTION 24. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, up to \$1,500,000 of general funds appropriated for fiscal year 2002 in connection with the Medicaid waiver for home- and community-based services for adult individuals with disabilities under § 15-131 of the Health - General Article that remain unexpended by the Department of Human Resources on June 30, 2002 may not revert to the General Fund and shall remain available for expenditure in fiscal year 2003.

SECTION 25. AND BE IT FURTHER ENACTED, That notwithstanding § 16-319 or § 7-302 of the Education Article or any other provision of law, the portion of fiscal year 2002 and 2003 payments required under § 16-319 of the Education Article for private technology donation incentives or under § 17-302 of the Education Article for private donation incentives that are not funded in the fiscal 2003 budget shall be deferred until fiscal year 2004.