

CHAPTER 306

(Senate Bill 787)

AN ACT concerning

Public School Facilities Act of 2004

FOR the purpose of authorizing counties to finance the construction or renovation of public school facilities, under certain circumstances, using alternative financing methods, engaging in competitive negotiation, accepting unsolicited proposals, and using quality based selection; authorizing a private entity to hold title to property used for a certain public school or school system under certain circumstances; clarifying that the requirements of certain provisions of the State Finance and Procurement Article apply to certain projects; expressing the intent of the General Assembly that the State Department of Education and the Public School Construction Program encourage local education agencies to use recently used school designs under certain circumstances; requiring the Interagency Committee on School Construction to survey the condition of certain school buildings; requiring the Department of General Services to conduct certain inspections; requiring the Interagency Committee to make a certain annual report to the Governor and the General Assembly; requiring the Department of General Services to submit a certain annual report to the State Department of Education and local education agencies; authorizing certain counties to issue certain bonds under certain circumstances; providing for the issuance and administration of the bonds; providing for the repayment of the bonds; ~~authorizing certain counties to impose a sales tax on certain retail sales, subject to certain limits; authorizing certain counties to impose a certain transfer tax on certain instruments, subject to certain limits~~; repealing a certain exemption from the Administrative Procedure Act; altering the amount of grants provided to counties under the Aging Schools Program; providing an exception to a certain mandatory level of State funds to be granted to Prince George's County and Baltimore City; expressing the intent of the General Assembly that the Board of Public Works establish an emergency repair fund to be used to finance certain renovations and improvements to public schools; specifying that the purchase of relocatable classrooms ~~are~~ is eligible for State funding; requiring the Public School Construction Program to provide assistance to Baltimore City, counties, and local education agencies in using alternative financing mechanisms; requiring the Capital Debt Affordability Committee to review certain school funding needs and to make a certain annual recommendation; providing that private ownership of public schools does not affect the status of local school system employees; requiring the State Department of Education to adopt certain regulations; requiring the Board of Public Works to adopt certain regulations; defining certain terms; providing for the effective dates of this Act; and generally relating to the funding and administration of public school construction.

BY repealing and reenacting, with amendments,
Article – Education