

(a) There is a Maryland Clean Water Fund.

(b) **THE FOLLOWING PAYMENTS SHALL BE MADE INTO THE MARYLAND CLEAN WATER FUND:**

(1) All application fees, permit fees, renewal fees, and funds collected by the Department under this subtitle, including any civil or administrative penalty or any fine imposed by a court under the provisions of this subtitle[, shall be paid into the Maryland Clean Water Fund]; AND

(2) ANY CIVIL PENALTY OR ANY FINE IMPOSED BY A COURT UNDER THE PROVISIONS OF TITLE 5, SUBTITLE 5 OF THIS ARTICLE RELATING TO WATER APPROPRIATION AND USE.

[(c) The Department shall use the Maryland Clean Water Fund for activities that are related to identifying, monitoring, and regulating the proper discharge of effluent into the waters of the State including program development of these activities as provided in the State budget. Priority shall be given to activities pertaining to the water quality of the Chesapeake Bay and its tributaries.]

(C) **THE DEPARTMENT SHALL USE THE MARYLAND CLEAN WATER FUND FOR ACTIVITIES THAT ARE RELATED TO:**

(1) **THE IDENTIFICATION, MONITORING, AND REGULATION OF THE PROPER DISCHARGE OF EFFLUENT INTO THE WATERS OF THE STATE INCLUDING PROGRAM DEVELOPMENT OF THESE ACTIVITIES AS PROVIDED BY THE STATE BUDGET; AND**

(2) **THE MANAGEMENT, CONSERVATION, PROTECTION, AND PRESERVATION OF THE STATE'S GROUNDWATER AND SURFACE WATER INCLUDING PROGRAM DEVELOPMENT OF THESE ACTIVITIES AS PROVIDED BY THE STATE BUDGET.**

(D) **IN DETERMINING THE USE OF THE MARYLAND CLEAN WATER FUND, PRIORITY SHALL BE GIVEN TO ACTIVITIES RELATING TO THE WATER QUALITY OF THE CHESAPEAKE BAY AND ITS TRIBUTARIES.**

[(d)] (E) Notwithstanding any law to the contrary, unexpended moneys in the Fund shall not revert to the general treasury at the end of a fiscal year.