

SENATE BILL 470

M1

(3lr1852)

ENROLLED BILL

— *Budget and Taxation and Education, Energy, and the Environment/Environment
and Transportation* —

Introduced by **Senators Elfreth, Gile, Guzzone, Hettleman, Jackson, James, King,
Rosapepe, and Zucker**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Land Conservation – Establishment of Goals and Programs**
3 **(Maryland the Beautiful Act)**

4 FOR the purpose of establishing certain goals and programs related to land conservation;
5 establishing the Local Land Trust Revolving Loan Program to provide loans to
6 certain land trusts to purchase land for conservation purposes; authorizing the
7 Maryland Environmental Trust to exercise certain remedies under certain
8 circumstances; prohibiting a person from making any false statements affecting a
9 Local Land Trust Revolving Loan Program loan; providing that a person who violates
10 certain provisions of law is subject to certain penalties; establishing the Local Land
11 Trust Revolving Loan Fund as a special, nonlapsing fund; requiring interest
12 earnings of the Fund to be credited to the Fund; ~~requiring~~ authorizing the Governor,
13 beginning in a certain fiscal year, to include in the annual budget bill a certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



appropriation to the ~~Maryland Environmental~~ Trust to be used to provide certain grants through the Keep Maryland Beautiful Program; establishing the 40 x 40 Land Conservation Implementation Grant Program to support implementation of land conservation goals; authorizing certain excess revenue from the transfer tax collected in a certain fiscal year to be allocated to the Local Land Trust Revolving Loan Fund; and generally relating to land conservation in the State.

BY adding to

Article – Natural Resources

New part designation “Part I. General Provisions” to immediately precede Section 3–201; Section 3–214 through ~~3–216~~ 3–217 to be under the new part “Part II. Local Land Trust Revolving Loan Program”; and 5–104

Annotated Code of Maryland

(2018 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 3–210

Annotated Code of Maryland

(2018 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)170. and 171.

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)172.

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 13–209(f)(1)

Annotated Code of Maryland

(2019 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the new part designation "Part I. General Provisions" be added to immediately
precede Section 3–201 of Article – Natural Resources of the Annotated Code of Maryland.

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

Article – Natural Resources

3–210.

(A) (1) Any function or activity of the Governor's Committee to Keep Maryland
Beautiful is transferred to the Trust.

(2) These functions and activities include, by way of enumeration and not
limitation:

[(1)] (I) Educating Maryland citizens and visitors in their individual
responsibility in litter prevention and care of the out-of-doors through a two-fold
approach:

[(i)] 1. Awareness–publicity through radio, TV, newspapers, and
other public media; and

[(ii)] 2. Action–cleanup and beautification projects carried out by
civic organizations, county committees, and community groups in cooperation with public
agencies;

[(2)] (II) Efficient use of public and private funds spent on cleaning up
highways, parks, beaches, and other public and private property;

[(3)] (III) Increasing beauty through stimulation of private business,
community, and public planting projects; and

[(4)] (IV) Stimulating pride and appreciation for home, community, and
State.

(B) (1) IN FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE
GOVERNOR ~~SHALL~~ MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION
OF \$235,000 TO THE TRUST, TO BE USED IN THE FOLLOWING AMOUNTS FOR THE
FOLLOWING PURPOSES:

(I) \$50,000 PER YEAR TO PROVIDE LAND STEWARDSHIP
CAPACITY–BUILDING GRANTS OF UP TO \$10,000 TO LAND TRUSTS TO SUPPORT
MONITORING AND STEWARDSHIP SCHOLARSHIPS, LAND MONITORING AND

1 STEWARDSHIP EQUIPMENT, OR ORGANIZATIONAL ACCREDITATION AND
2 CERTIFICATION TRAININGS;

3 (II) \$50,000 PER YEAR TO PROVIDE LAND STEWARDSHIP
4 IMPROVEMENT GRANTS OF UP TO \$10,000 TO LAND TRUSTS TO SUPPORT IMPROVED
5 MONITORING AND STEWARDSHIP OF AGRICULTURAL LANDS, FOREST LANDS, OR
6 LANDS FACING A HIGH DEGREE OF THREAT FROM INVASIVE SPECIES OR THE
7 EFFECTS OF CLIMATE CHANGE; AND

8 (III) \$135,000 PER YEAR TO PROVIDE CITIZEN STEWARDSHIP
9 GRANTS OF UP TO \$5,000 TO NONPROFIT ORGANIZATIONS, COMMUNITY
10 ORGANIZATIONS, SCHOOLS, AND MUNICIPAL CORPORATIONS TO ENGAGE
11 COMMUNITY MEMBERS, ESPECIALLY CHILDREN AND YOUNG ADULTS, IN
12 ENVIRONMENTAL EDUCATION AND STEWARDSHIP.

13 (2) FUNDS PROVIDED TO THE TRUST UNDER PARAGRAPH (1) OF THIS
14 SUBSECTION ARE SUPPLEMENTAL TO AND ARE NOT INTENDED TO TAKE THE PLACE
15 OF FUNDING THAT WOULD OTHERWISE BE APPROPRIATED TO THE TRUST FOR
16 GRANTS ADMINISTERED UNDER THE KEEP MARYLAND BEAUTIFUL PROGRAM.

17 3-212. RESERVED.

18 3-213. RESERVED.

19 PART II. LOCAL LAND TRUST REVOLVING LOAN PROGRAM.

20 3-214.

21 (A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23 (B) "ADVISORY COMMITTEE" MEANS THE LAND PRESERVATION RAPID
24 RESPONSE ADVISORY COMMITTEE.

25 (C) "BOARD OF TRUSTEES" MEANS THE BOARD OF TRUSTEES OF THE
26 MARYLAND ENVIRONMENTAL TRUST.

27 (D) "EXECUTIVE COMMITTEE" MEANS THE EXECUTIVE COMMITTEE OF THE
28 MARYLAND ENVIRONMENTAL TRUST.

29 (E) "FUND" MEANS THE LOCAL LAND TRUST REVOLVING LOAN FUND.

30 (F) "LAND TRUST" HAS THE MEANING STATED IN § 3-2A-01 OF THIS
31 ARTICLE.

1 (G) “PROGRAM” MEANS THE LOCAL LAND TRUST REVOLVING LOAN
2 PROGRAM.

3 (H) “TRUST” MEANS THE MARYLAND ENVIRONMENTAL TRUST.

4 3-215.

5 (A) THERE IS A LOCAL LAND TRUST REVOLVING LOAN PROGRAM.

6 (B) THE PURPOSE OF THE PROGRAM IS TO:

7 (1) SUPPORT THE EFFORTS OF LOCAL LAND TRUSTS THAT WORK
8 WITH STATE AND LOCAL GOVERNMENTAL ENTITIES ~~AND THAT HAVE DIFFICULTY~~
9 ~~ACCESSING MONEY FROM EXISTING PROGRAM OPEN SPACE PRESERVATION~~
10 ~~PROGRAMS IN A TIMELY MANNER; AND~~

11 (2) PROVIDE REVOLVING LOANS TO LAND TRUSTS ON A ROLLING
12 BASIS TO ASSIST THE LAND TRUSTS TO PURCHASE FEE SIMPLE OR EASEMENT
13 INTERESTS IN REAL PROPERTY FOR CONSERVATION PURPOSES.

14 (C) (1) THE TRUST SHALL:

15 (I) ADMINISTER THE PROGRAM; AND

16 (II) ESTABLISH APPLICATION PROCEDURES AND ELIGIBILITY
17 CRITERIA FOR PROGRAM LOANS.

18 (2) IF THE TRUST APPROVES AN APPLICANT’S REQUEST FOR A
19 PROGRAM LOAN, THE TRUST SHALL:

20 (I) PREPARE THE LOAN DOCUMENTS; AND

21 (II) ESTABLISH THE TERMS AND CONDITIONS FOR THE LOAN.

22 ~~(C)~~ (D) A LAND TRUST THAT RECEIVES A PROGRAM LOAN TO PURCHASE
23 PROPERTY IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL REPAY
24 THE FUND:

25 (1) AT A RATE TO BE DETERMINED BY THE ~~MARYLAND~~
26 ~~ENVIRONMENTAL~~ TRUST, NOT TO EXCEED ONE POINT BELOW THE PRIME INTEREST
27 RATE; AND

(2) AFTER THE PROPERTY IS:

(I) PLACED UNDER A CONSERVATION EASEMENT; OR

(II) TRANSFERRED TO A STATE OR LOCAL GOVERNMENTAL ENTITY.

~~(D) THE PROGRAM IS ADMINISTERED BY THE MARYLAND ENVIRONMENTAL TRUST.~~

(E) NOTHING IN THIS SECTION OBLIGATES A STATE OR LOCAL GOVERNMENT ENTITY TO ACCEPT OR PURCHASE FROM A LAND TRUST A CONSERVATION EASEMENT OR TRANSFERRED PROPERTY PURCHASED WITH A PROGRAM LOAN.

(F) NOTWITHSTANDING SUBSECTION (D)(2) OF THIS SECTION, A LAND TRUST SHALL REPAY A PROGRAM LOAN AND ANY ACCRUED INTEREST WITHIN 5 YEARS AFTER RECEIVING THE PROGRAM LOAN, UNLESS THE BOARD OF TRUSTEES APPROVES AN EXTENSION OF TIME BASED ON EXTENUATING CIRCUMSTANCES.

(G) IF A LAND TRUST VIOLATES ANY PROVISION OF THE LOAN DOCUMENTS OR CEASES TO MEET THE REQUIREMENTS OF THIS SUBTITLE, ON REASONABLE NOTICE TO THE LAND TRUST, THE TRUST MAY EXERCISE ANY REMEDY AVAILABLE UNDER LAW, INCLUDING ANY REMEDIES PROVIDED FOR IN THE LOAN DOCUMENTS.

(H) (1) A PERSON MAY NOT KNOWINGLY MAKE OR CAUSE TO BE MADE ANY FALSE STATEMENT OR REPORT, INCLUDING ANY UNDERSTATEMENT OR OVERSTATEMENT OF FINANCIAL CONDITION FOR A NEW LOAN OR AFFECTING A LOAN ALREADY MADE UNDER THIS SUBTITLE:

(I) IN ANY APPLICATION OR IN ANY DOCUMENT FURNISHED TO THE TRUST; OR

(II) FOR THE PURPOSE OF INFLUENCING THE ACTION OF THE TRUST ON AN APPLICATION FOR FINANCIAL ASSISTANCE OR FOR THE PURPOSE OF INFLUENCING ANY ACTION OF THE TRUST AFFECTING FINANCIAL ASSISTANCE WHETHER OR NOT SUCH ASSISTANCE MAY HAVE ALREADY BEEN EXTENDED.

(2) ANY PERSON, AIDER, OR ABETTOR WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$50,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH.

1 3-216.

2 ~~(E)~~ (A) ~~(1)~~ THERE IS A LAND PRESERVATION RAPID RESPONSE
3 ADVISORY COMMITTEE.

4 ~~(2)~~ (B) THE PURPOSE OF THE ADVISORY COMMITTEE IS TO:

5 ~~(1)~~ (1) REVIEW AND PRIORITIZE PROGRAM LOAN
6 APPLICATIONS FOR ~~FINAL APPROVAL BY THE EXECUTIVE COMMITTEE~~
7 CONSIDERATION BY THE BOARD OF TRUSTEES; AND

8 ~~(H)~~ (2) MAKE RECOMMENDATIONS TO THE ~~EXECUTIVE~~
9 ~~COMMITTEE~~ BOARD OF TRUSTEES ON:

10 ~~1.~~ (I) WHICH PROJECTS TO FUND, WHETHER IN WHOLE OR
11 IN PART; AND

12 ~~2.~~ (II) THE FUNDING TO BE ALLOCATED TO EACH PROJECT.

13 ~~(3)~~ (C) THE ADVISORY COMMITTEE CONSISTS OF:

14 ~~(1)~~ (1) A REPRESENTATIVE OF THE DEPARTMENT,
15 SELECTED BY THE SECRETARY; AND

16 ~~(H)~~ (2) THE FOLLOWING MEMBERS, SELECTED BY THE
17 BOARD OF TRUSTEES:

18 ~~1.~~ (I) A REPRESENTATIVE OF THE ~~MARYLAND~~
19 ~~ENVIRONMENTAL~~ TRUST THAT IS NOT A MEMBER OF THE EXECUTIVE COMMITTEE;

20 ~~2.~~ (II) A REPRESENTATIVE OF A NONPROFIT LAND
21 CONSERVATION ORGANIZATION IN THE STATE;

22 ~~3.~~ (III) A REPRESENTATIVE OF A LOCAL PARKS AND
23 RECREATION DEPARTMENT IN THE STATE; AND

24 ~~4.~~ (IV) AN INDIVIDUAL WITH EXPERIENCE IN LOAN
25 UNDERWRITING.

26 ~~3-216.~~ 3-217.

27 (A) THERE IS A LOCAL LAND TRUST REVOLVING LOAN FUND.

(B) THE PURPOSE OF THE FUND IS TO FINANCE THE PROGRAM.

(C) THE ~~MARYLAND ENVIRONMENTAL~~ TRUST SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) INTEREST EARNINGS; ~~AND~~

(3) REPAYMENTS OF PRINCIPAL AND INTEREST FROM LOANS MADE UNDER THE PROGRAM; AND

(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(F) ~~IN FISCAL YEAR 2025, THE~~ THE GOVERNOR ~~SHALL~~ MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION ~~OF \$10,000,000~~ TO THE FUND.

(G) THE FUND MAY BE USED ONLY TO PROVIDE FUNDING FOR THE PROGRAM.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(J) MONEY EXPENDED FROM THE FUND FOR THE PROGRAM IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAM.

1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (2) “CONSERVE” MEANS TO PERMANENTLY PROTECT LAND FROM
4 DEVELOPMENT THROUGH PURCHASE, DONATION, A PERPETUAL CONSERVATION OR
5 AN OPEN SPACE EASEMENT, OR FEE OWNERSHIP IN ORDER TO PRESERVE THE
6 CULTURAL, HISTORICAL, ECOLOGICAL, OR AGRICULTURAL VALUE OF THE LAND.

7 (3) “PROGRAM” MEANS THE 40 X 40 LAND CONSERVATION
8 IMPLEMENTATION GRANT PROGRAM ESTABLISHED UNDER SUBSECTION (C) OF
9 THIS SECTION.

10 (4) “SMART GROWTH SUBCABINET” MEANS THE SMART GROWTH
11 SUBCABINET ESTABLISHED UNDER § 9-1406 OF THE STATE GOVERNMENT
12 ARTICLE.

13 (5) “TRUST” MEANS THE MARYLAND ENVIRONMENTAL TRUST.

14 (B) (1) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT:

15 (I) BY 2030, 30% OF LANDS IN THE STATE BE CONSERVED; AND

16 (II) BY 2040, 40% OF LANDS IN THE STATE BE CONSERVED.

17 (2) THE CONSERVATION GOALS ESTABLISHED UNDER PARAGRAPH
18 (1) OF THIS SUBSECTION SHALL BE ACCOMPLISHED THROUGH MULTIPLE EFFORTS,
19 INCLUDING:

20 (I) WORKING WITH LOCAL COMMUNITIES, COUNTIES,
21 MUNICIPALITIES, AMERICAN INDIAN COMMUNITIES, AND PRIVATE LANDOWNERS TO
22 CONSERVE NATURAL PLACES AND RESOURCES;

23 (II) IMPROVING ACCESS TO NATURE FOR ALL INDIVIDUALS IN
24 THE STATE, INCLUDING COMMUNITIES OF COLOR AND ECONOMICALLY
25 DISADVANTAGED COMMUNITIES;

26 (III) SEQUESTERING CARBON AND GREENHOUSE GAS EMISSIONS
27 IN THE LANDS AND WATERS OF THE STATE;

28 (IV) INCREASING PUBLIC INCENTIVES FOR PRIVATE
29 LANDOWNERS TO VOLUNTARILY CONSERVE AND PROTECT AREAS OF

1 DEMONSTRATED CONSERVATION VALUE AND AREAS THAT HAVE A HIGH CAPACITY
2 TO SEQUESTER CARBON AND GREENHOUSE GAS EMISSIONS;

3 (V) FOCUSING CONSERVATION WORK AT A LARGE LANDSCAPE
4 SCALE THAT IS BIOLOGICALLY AND ECOLOGICALLY MEANINGFUL;

5 (VI) PREVENTING THE EXTINCTION OF NATIVE PLANT AND
6 ANIMAL SPECIES BY RECOVERING AND RESTORING THE SPECIES;

7 (VII) STABILIZING ECOSYSTEMS AND ECOSYSTEM SERVICES,
8 RESTORING DEGRADED ECOSYSTEMS, AND MAINTAINING ECOLOGICAL FUNCTIONS;
9 AND

10 (VIII) INCREASING ECONOMIC OPPORTUNITIES FOR FARMERS,
11 RANCHERS, FISHERS, AND FORESTERS.

12 (C) (1) THE TRUST SHALL ADMINISTER A 40 X 40 LAND CONSERVATION
13 IMPLEMENTATION GRANT PROGRAM TO SUPPORT IMPLEMENTATION OF THE
14 GOALS ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

15 (2) PROGRAM GRANTS SHALL:

16 (I) BE AWARDED EACH YEAR ON A COMPETITIVE BASIS TO A
17 ~~STATEWIDE~~ NONPROFIT ORGANIZATION THAT FOCUSES ON SUPPORTING THE
18 PERMANENT CONSERVATION OF THE LANDS OF THE STATE; AND

19 (II) PROVIDE AT LEAST:

20 1. \$150,000 TO THE GRANT RECIPIENT FOR THE
21 PURPOSE OF PROVIDING TOOLS AND RESOURCES, ORGANIZATIONAL SUPPORT, AND
22 CAPACITY BUILDING TO LOCAL LAND TRUSTS; AND

23 2. \$100,000 TO THE GRANT RECIPIENT FOR THE
24 PURPOSE OF PROVIDING STATEWIDE EDUCATIONAL CONFERENCES AND TRAININGS
25 FOR LOCAL LAND TRUSTS ON THE TOPICS OF EASEMENT ACQUISITION,
26 CONSERVATION PROGRAMS AND TOOLS, LAND MANAGEMENT AND STEWARDSHIP,
27 AND OTHER RELEVANT SUBJECTS.

28 (3) IN FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE
29 GOVERNOR ~~SHALL~~ MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION
30 OF \$250,000 TO THE TRUST FOR THE PURPOSE OF PROVIDING THE GRANTS
31 REQUIRED UNDER THIS SUBSECTION.

(D) (1) IN ORDER TO MEET THE CONSERVATION GOALS ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION, THE SMART GROWTH SUBCABINET, IN COORDINATION WITH RELEVANT STAKEHOLDERS, SHALL:

(I) COORDINATE THE ACTIONS OF STATE AGENCIES, LOCAL GOVERNMENTS, AND NONGOVERNMENTAL PARTNERS;

(II) ON OR BEFORE JULY 1, 2024, DEVELOP AND PUBLISH A PLAN TO MEET THE STATE'S CONSERVATION GOALS AND UPDATE THE PLAN AS NEEDED, BUT NOT LESS THAN EVERY 5 YEARS THEREAFTER; AND

(III) ON OR BEFORE DECEMBER 1, 2024, AND EACH DECEMBER 1 THEREAFTER, REPORT TO THE SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE AND THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE STATE'S PROGRESS TOWARD MEETING THE CONSERVATION GOALS.

(2) THE SMART GROWTH SUBCABINET SHALL MAKE THE ANNUAL REPORT REQUIRED UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION AVAILABLE ON ITS WEBSITE.

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

170. the Cannabis Public Health Fund; [and]

171. the Community Reinvestment and Repair Fund; AND

172. THE LOCAL LAND TRUST REVOLVING LOAN FUND.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – Property

13–209.

(f) (1) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, for any fiscal year in which the actual transfer tax revenue collections are greater than the revenue estimates used as the basis for the appropriations required under this section for the fiscal year, the amount of the excess shall be allocated to the special fund under subsection (a) of this section as provided under subsections (c) and (d) of this section for the second fiscal year following the fiscal year in which there is an excess.

(ii) 1. Notwithstanding subparagraph (i) of this paragraph or any other provision of law, \$21,776,868 of the transfer tax collected but not appropriated or transferred in fiscal 2004 shall be transferred to the General Fund of the State.

2. NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH OR ANY OTHER PROVISION OF LAW, IF IN FISCAL YEAR 2023 THE ACTUAL TRANSFER TAX REVENUE COLLECTIONS ARE GREATER THAN THE REVENUE ESTIMATES USED AS THE BASIS FOR THE APPROPRIATIONS REQUIRED UNDER THIS SECTION FOR FISCAL YEAR ~~2025~~ 2023, THE AMOUNT OF THE EXCESS MAY BE ALLOCATED TO THE LOCAL LAND TRUST REVOLVING LOAN FUND IN FISCAL YEAR 2025.

(iii) Notwithstanding subparagraph (i) of this paragraph or any other provision of law, in any fiscal year in which an appropriation or transfer is made from the special fund to the General Fund, if the actual transfer tax revenue collections for the prior fiscal year exceed the budget estimate for the prior fiscal year, the excess shall be allocated in the current fiscal year for Program Open Space, the Agricultural Land Preservation Fund, the Rural Legacy Program, and the Heritage Conservation Fund. Funds made available under this subparagraph shall be allocated as provided under subsection (d) of this section.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023. Section 3 of this Act shall remain effective for a period of 3 years and, at the end of September 30, 2026, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.