

HOUSE BILL 1619

C8

7lr3522
CF SB 1148

By: **Delegate Clippinger**

Introduced and read first time: February 24, 2017

Assigned to: Rules and Executive Nominations

Re-referred to: Appropriations, March 11, 2017

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 27, 2017

CHAPTER _____

1 AN ACT concerning

2 **Maryland Stadium Authority – Maryland Sports and Affiliated Foundations –**
3 **Establishment**

4 FOR the purpose of establishing an office known as Maryland Sports in the Maryland
5 Stadium Authority; requiring Maryland Sports to implement a program to bring
6 certain sporting events to the State for certain purposes; requiring Maryland Sports
7 to act as the State's sports commission for the purpose of the National Association of
8 Sports Commissions; authorizing Maryland Sports to request certain assistance and
9 information from any State or local governmental entity, to accept a certain gift,
10 bequest, or grant, to spend certain funds, to act as a host committee for certain
11 sporting events, and to perform certain other tasks; encouraging Maryland Sports to
12 promote private fund-raising by maintaining certain relationships with a certain
13 affiliated foundation; authorizing the Authority to establish one or more affiliated
14 foundations to work with Maryland Sports; establishing the purposes of an affiliated
15 foundation; requiring the Authority to develop policies for the operation of each
16 affiliated foundation the Authority establishes; requiring the Attorney General to
17 review certain policies for form and legal sufficiency and, if appropriate, to approve
18 the policies; allowing an affiliated foundation to solicit and receive certain
19 contributions; providing that an affiliated foundation may not be considered an
20 agency or instrumentality of the State or a unit of the Executive Branch for any
21 purpose; providing that a financial obligation or liability of an affiliated foundation
22 may not be considered a debt or an obligation of the State, the Authority, or
23 Maryland Sports; ~~providing that the Public Ethics Law does not prohibit an~~
24 ~~Authority official or employee from working in certain capacities for an affiliated~~

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.



~~foundation~~ requiring the Authority, in consultation with the State Ethics Commission, to adopt regulations to govern conflicts of interest regarding an official or employee of the Authority becoming employed by an affiliated foundation; requiring an affiliated foundation to undergo a certain audit each year; authorizing the Authority to grant certain funds under certain circumstances; and generally relating to the establishment of Maryland Sports and affiliated foundations.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–604
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY adding to
Article – Economic Development
Section 10–611 and 10–612
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Economic Development

10–604.

(a) There is a Maryland Stadium Authority.

(b) (1) The Authority is a body politic and corporate and is an instrumentality of the State.

(2) The Authority is an independent unit in the Executive Branch of State government.

(3) The exercise by the Authority of its powers under this subtitle is an essential governmental function.

(c) The Authority is a public body under Title 5, Subtitle 4 of this article, the Maryland Industrial Development Financing Authority Act, for purposes of applying for, receiving, and making agreements in connection with:

(1) a loan;

(2) a grant;

(3) insurance; or

(4) any other form of financial assistance.

10-611.

(A) THERE IS AN OFFICE KNOWN AS MARYLAND SPORTS IN THE AUTHORITY.

(B) MARYLAND SPORTS SHALL IMPLEMENT A PROGRAM TO BRING REGIONAL, NATIONAL, AND INTERNATIONAL SPORTING EVENTS AT ALL LEVELS OF COMPETITION TO THE STATE FOR THE PURPOSES OF:

(1) UTILIZING SPORTS FACILITIES IN THE STATE;

(2) ENHANCING THE ECONOMIC DEVELOPMENT OF THE STATE; AND

(3) PROMOTING THE STATE AS A DESTINATION FOR AMATEUR AND PROFESSIONAL SPORTING EVENTS.

(C) MARYLAND SPORTS SHALL ACT AS THE STATE'S SPORTS COMMISSION FOR THE PURPOSE OF THE NATIONAL ASSOCIATION OF SPORTS COMMISSIONS.

(D) TO CARRY OUT THE PURPOSES OF THIS SECTION, MARYLAND SPORTS MAY:

(1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, REQUEST ANY STATE OR LOCAL GOVERNMENT BODY TO PROVIDE INFORMATION AND ASSISTANCE;

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ACCEPT A GIFT, BEQUEST, OR GRANT FROM A PUBLIC OR PRIVATE SOURCE;

(3) SPEND FUNDS MADE AVAILABLE IN THE STATE BUDGET;

(4) ACT AS THE HOST COMMITTEE FOR REGIONAL, NATIONAL, AND INTERNATIONAL SPORTING EVENTS TO BE HELD IN WHOLE OR IN PART IN THE STATE; AND

(5) PERFORM ANY OTHER ACT NECESSARY.

(E) MARYLAND SPORTS IS ENCOURAGED TO PROMOTE PRIVATE FUND-RAISING BY MAINTAINING RELATIONSHIPS WITH EACH AFFILIATED FOUNDATION ESTABLISHED UNDER § 10-612 OF THIS SUBTITLE.

10-612.

(A) THE AUTHORITY MAY ESTABLISH ONE OR MORE AFFILIATED FOUNDATIONS TO WORK WITH MARYLAND SPORTS, ESTABLISHED UNDER § 10-611 OF THIS SUBTITLE.

(B) THE PURPOSES OF AN AFFILIATED FOUNDATION ARE TO:

(1) SUPPORT THE STATE IN:

(I) SPORTS BID DEVELOPMENT;

(II) SPORTING EVENT RECRUITMENT AND RETENTION;

(III) ECONOMIC ANALYSIS AND RESEARCH RELATING TO SPORTING EVENTS;

(IV) SPONSORSHIP OF SPORTING EVENTS; AND

(V) DEVELOPMENT OF PARTNERSHIPS WITH PUBLIC AND PRIVATE ENTITIES DESIGNED TO SPONSOR SPORTING EVENTS;

(2) PROMOTE REGIONAL, NATIONAL, AND INTERNATIONAL SPORTING EVENTS TO BE HELD, IN WHOLE OR IN PART, IN THE STATE; AND

(3) RECRUIT, MARKET, PROMOTE, WORK TO RETAIN, AND MANAGE SPORTING EVENTS THAT HAVE A POSITIVE ECONOMIC OR CULTURAL IMPACT, OR OTHERWISE ENHANCE THE QUALITY OF LIFE OF THE STATE'S CITIZENS.

(C) (1) THE AUTHORITY SHALL DEVELOP POLICIES FOR THE OPERATION OF EACH AFFILIATED FOUNDATION THE AUTHORITY ESTABLISHES.

(2) THE ATTORNEY GENERAL SHALL REVIEW THE POLICIES THE AUTHORITY DEVELOPS UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR FORM AND LEGAL SUFFICIENCY AND, IF APPROPRIATE, APPROVE THEM TO GOVERN THE AFFILIATED FOUNDATION.

(D) AN AFFILIATED FOUNDATION MAY SOLICIT AND RECEIVE CONTRIBUTIONS FROM BUSINESSES, GOVERNMENTAL ENTITIES, NONPROFIT ORGANIZATIONS, AND INDIVIDUALS INTERESTED IN THE PROMOTION OF SPORTS IN THE STATE.

(E) (1) AN AFFILIATED FOUNDATION ESTABLISHED UNDER THIS SECTION MAY NOT BE CONSIDERED AN AGENCY OR INSTRUMENTALITY OF THE STATE OR A UNIT OF THE EXECUTIVE BRANCH FOR ANY PURPOSE.

(2) A FINANCIAL OBLIGATION OR LIABILITY OF AN AFFILIATED FOUNDATION ESTABLISHED AND OPERATED UNDER THIS SECTION MAY NOT BE CONSIDERED A DEBT OR AN OBLIGATION OF THE STATE, THE AUTHORITY, OR MARYLAND SPORTS.

~~(F) SECTIONS 5-501 THROUGH 5-504 OF THE GENERAL PROVISIONS ARTICLE DO NOT PROHIBIT AN OFFICIAL OR EMPLOYEE OF THE AUTHORITY FROM THE AUTHORITY, IN CONSULTATION WITH THE STATE ETHICS COMMISSION, SHALL ADOPT REGULATIONS TO GOVERN CONFLICTS OF INTEREST WITH RESPECT TO AN OFFICIAL OR EMPLOYEE OF THE AUTHORITY ALSO BECOMING A DIRECTOR, AN OFFICIAL, OR AN EMPLOYEE OF AN AFFILIATED FOUNDATION ORGANIZED UNDER THIS SECTION.~~

(G) AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT HIRED AND PAID BY THE AUTHORITY SHALL AUDIT AN AFFILIATED FOUNDATION ESTABLISHED UNDER THIS SECTION EACH YEAR.

(H) IN ANY FISCAL YEAR, AFTER ~~THE APPROVAL OF~~ PROVIDING THE BUDGET COMMITTEES OF THE GENERAL ASSEMBLY AN OPPORTUNITY FOR REVIEW AND COMMENT, THE AUTHORITY MAY GRANT UP TO \$500,000 OF THE AUTHORITY'S AVAILABLE NONBUDGETED MONEY TO AFFILIATED FOUNDATIONS ESTABLISHED UNDER THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.