

HOUSE BILL 589

B1

11r0140
CF SB 493

By: **The Speaker (By Request – Administration)**

Introduced and read first time: January 20, 2021

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2021

CHAPTER _____

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2021**

3 FOR the purpose of ~~altering the source of funding for certain required appropriations;~~
4 requiring a certain percentage of certain raffle proceeds to be deposited into a certain
5 fund; altering certain requirements for certain raffles to be held in conjunction with
6 a certain football game; providing that the Maryland Stadium Authority is not
7 required to submit certain reports for a certain fiscal year; expanding the authorized
8 uses of certain funds; altering, for certain fiscal years, the total State operating fund
9 per full-time equivalent student for certain community colleges that the Governor is
10 required to request; altering, for certain fiscal years, the total State operating funds
11 required to be distributed to certain community colleges; altering, for certain fiscal
12 years, the annual apportionment for each institution that qualifies for aid under the
13 Joseph A. Sellinger Program; requiring certain scholarship funds to be deposited in
14 a certain student financial assistance fund under certain circumstances; requiring
15 certain funding to be used to disburse assistance under a certain loan assistance
16 repayment program; altering the amount the Governor is authorized to appropriate
17 to a certain fund in certain budgets; limiting the amount of a certain subsidy that a
18 certain commission may receive each fiscal year; requiring that a certain subsidy for
19 a certain program must be at least a certain amount each fiscal year; requiring the
20 Governor or the Insurance Commissioner, under certain circumstances, to transfer
21 certain funds collected from a certain assessment to a certain provider
22 reimbursement program; reducing the amount the State is required to appropriate
23 in the State budget as a payment to a certain city for certain services; repealing a
24 requirement that a certain appropriation to a certain city be increased each year by
25 a certain amount; providing that, for certain fiscal years, a certain revenue estimate

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.



~~adjustment made by the Bureau of Revenue Estimates may not exceed certain amounts; requiring, for a certain fiscal year, the distribution of certain revenues to a certain fund to be used for a certain purpose; requiring the Governor to include in the budget bill submitted at a certain General Assembly session an appropriation equal to a certain amount to be used for a certain purpose; altering a requirement that for a certain fiscal year the Governor include in the budget bill a certain appropriation to the accumulation funds of the State Retirement and Pension System; expanding the uses of State bond premiums transferred to the Annuity Bond Fund; requiring local governments to be responsible for a certain percentage of payments owed to certain erroneously convicted individuals; increasing the percentage of certain costs for which each county and Baltimore City are responsible for reimbursing the State; altering the rate at which the land of certain country clubs and golf courses is valued for property tax assessment purposes; altering the frequency of a certain increase in the valuation rate for certain country clubs and golf courses; altering certain requirements that for certain fiscal years the Governor appropriate certain amounts from the General Fund to a certain special fund; providing the budgeted Medicaid Deficit Assessment for certain fiscal years; providing that payments to certain providers with rates set by a certain committee may not increase by more than a certain amount for a certain fiscal year; authorizing the Governor to transfer certain amounts from certain funds; authorizing certain State agencies to temporarily charge certain expenditures to a certain account; providing a process to reimburse a certain account for certain charged expenditures; authorizing the Governor to print a reduced number of budget books for a certain fiscal year; requiring the Comptroller to transfer a certain amount from a certain special fund if certain conditions are not met; making certain grants to local jurisdictions in a certain fiscal year contingent on certain local funding; exempting certain retirees of the Employees' and Teachers' Pension Systems from a certain earnings limitation for a certain period of time; providing for the application and termination of a certain provision relating to a certain retiree earnings limitation; requiring certain employees in positions in certain Department of Public Safety and Correctional Services facilities to be transferred to certain vacancies in certain other facilities; requiring certain appropriations to be reduced and certain funds to be transferred; and generally relating to the financing of State and local government.~~

~~BY repealing and reenacting, with amendments,
Article — Commercial Law
Section 14-4104(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2020 Supplement)~~

BY repealing and reenacting, without amendments,
Article — Criminal Law
Section 13-1911.1(a) and (f)
Annotated Code of Maryland
(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 13–1911.1(d) and (e)
Annotated Code of Maryland
(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development
Section 10–612.2(a) through (c)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)
(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 10–612.2(f)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)
(As enacted by Chapter 33 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 10–625
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 5–206(a) through (c)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)
(As enacted by Chapters 36, 37, and 38 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Education
Section 5–206(g)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)
(As enacted by Chapters 36, 37, and 38 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, without amendments,

Article – Education
Section ~~5–219(a) through (e), 18–401, 18–501(a), 18–3201(a), (b), and (d), and 24–201~~
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section ~~5-219(g), 16-305(e)(1), 17-104(a), 18-407(d), 18-501(e), 18-3203, and~~
~~24-204(d)~~
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19-2201(a) and (e)(1)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19-2201(e)(2)(iv)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY adding to
Article – Health – General
Section 19-2201(e)(2)(v)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 6-102.1, 14-106(d) and (e), and 31-107.2(a)
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4-209(k)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~4-608, 6-104(e), 7-311(j)(1), 7-325, 8-132, and 10-501(a)~~ 7-329(b-1) and
7-330(g) and (j)(3)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section ~~10-501(b)~~ 7-329(a) and (b) and 7-330(b), (c), (f), and (j)(1)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1303
Annotated Code of Maryland
(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~2–106 and 13–209(d–1) and (g)(2), (3), and (4)~~ 8–213 and 13–209(g)(3) and (4)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section ~~13–209(d)~~ 13–209(g)(2)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, with amendments,
Chapter 397 of the Acts of the General Assembly of 2011, as amended by Chapter 425 of the Acts of the General Assembly of 2013, Chapter 464 of the Acts of the General Assembly of 2014, Chapter 489 of the Acts of the General Assembly of 2015, Chapter 23 of the Acts of the General Assembly of 2017, Chapter 10 of the Acts of the General Assembly of 2018, Chapter 16 of the Acts of the General Assembly of 2019, and Chapter 538 of the Acts of the General Assembly of 2020
Section 16(e)~~

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

~~Article – Commercial Law~~

~~14–4104.~~

~~(a) (1) For fiscal year [2020] 2022 and each fiscal year thereafter, the Governor shall include an appropriation of at least \$700,000 in [general] SPECIAL funds in the State budget for the Office for the purposes of enforcement of:~~

~~(i) Consumer protection laws under this title;~~

~~(ii) Consumer protection laws under Title 13 of this article; and~~

~~(iii) Financial consumer protection laws.~~

~~(2) The Office shall use the funds under paragraph (1) of this subsection for:~~

~~(i) Staffing costs associated with hiring new employees; and~~

~~(ii) Investigations of alleged violations of consumer protection laws in the State.~~

Article – Criminal Law

13-1911.1.

(a) A raffle may be conducted by a charitable foundation that:

(1) is exempt from taxation under § 501(c)(3) of the Internal Revenue Code;

(2) is affiliated with a professional football team that plays its home games in Prince George's County; and

(3) has an office and conducts operations in Prince George's County.

(d) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE proceeds of a raffle shall be used to:

(i) benefit the residents of Prince George's County;

(ii) pay for prizes awarded to winners; and

(iii) pay for reasonable costs for necessary equipment and supplies.

(2) FOR EACH RAFFLE, 10% OF THE PROCEEDS OF THE RAFFLE SHALL BE DEPOSITED INTO THE MICHAEL ERIN BUSCH SPORTS FUND ESTABLISHED UNDER § 10-612.2 OF THE ECONOMIC DEVELOPMENT ARTICLE.

[(2)] (3) Proceeds of a raffle may not be used to help cover costs involved in conducting the raffle, including any compensation to ticket sellers or individuals who operate the raffle.

(e) (1) A raffle shall be held in conjunction with a specific professional football game [played in Prince George's County.

(2) A permit to hold a raffle is valid for not more than 24 hours].

[(3)] (2) All raffle tickets shall be sold and received[:

(i)] on property owned or under the control of the professional football team with which the charitable foundation is affiliated[; and

(ii) may not be sold on the Internet or otherwise to an individual not physically present on the property].

(f) On or before March 30 of each year, the charitable foundation shall send to the designated county agency a report detailing the amount and disposition of the money raised by raffles in the previous calendar year.

Article – Economic Development

10–612.2.

(a) In this section, “Fund” means the Michael Erin Busch Sports Fund.

(b) There is a Michael Erin Busch Sports Fund.

(c) The purpose of the Fund is to provide funding for the Youth and Amateur Sports Grants Program established under § 10–612.1 of this subtitle.

(f) The Fund consists of:

(1) revenue distributed to the Fund under § 9–120(b)(1)(iv) of the State Government Article;

(2) PROCEEDS OF A RAFFLE DEPOSITED IN THE FUND IN ACCORDANCE WITH § 13–1911.1 OF THE CRIMINAL LAW ARTICLE;

[(2)] (3) money appropriated in the State budget to the Fund;

[(3)] (4) interest earnings or other income earned from the investment of any money in the Fund; and

[(4)] (5) any other money from any other source accepted for the benefit of the Fund.

10–625.

(A) [The] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE Authority shall submit:

(1) an annual detailed report of the activities and financial status of the Authority to the Governor, and, in accordance with § 2–1257 of the State Government Article, the General Assembly; and

(2) annual reports on the additional tax revenues generated by each of the following facilities, prepared in cooperation with the Office of the Comptroller and the Department of Budget and Management:

(i) the Baltimore Convention facility;

(ii) the Hippodrome Performing Arts facility;

(iii) the Montgomery County Conference facility; and

(iv) the Ocean City Convention facility.

(B) THE AUTHORITY IS NOT REQUIRED TO SUBMIT THE ANNUAL REPORTS LISTED UNDER SUBSECTION (A)(2) OF THIS SECTION FOR ADDITIONAL TAX REVENUES GENERATED BY THE FACILITIES FOR FISCAL YEAR 2021.

Article – Education

~~5-219.~~

(a) ~~In this section, “Fund” means The Blueprint for Maryland’s Future Fund.~~

(b) ~~There is The Blueprint for Maryland’s Future Fund.~~

(c) ~~The purpose of the Fund is to assist in providing adequate funding for early childhood education and primary and secondary education to provide a world class education to students so they are prepared for college and a career in the global economy of the 21st century, based on the recommendations of the Commission on Innovation and Excellence in Education.~~

(g) ~~The Fund may be used only to assist in providing adequate funding for:~~

(1) ~~Early childhood education and primary and secondary education based on the recommendations of the Commission on Innovation and Excellence in Education, including revised education funding formulas; [and]~~

(2) ~~Maryland prekindergarten expansion grants; AND~~

~~(3) EARLY CHILDHOOD EDUCATION AND PRIMARY AND SECONDARY EDUCATION FOR COSTS ASSOCIATED WITH THE CORONAVIRUS DISEASE 2019 (COVID-19), INCLUDING ONE-TIME PRIMARY AND SECONDARY EDUCATION AID GRANTS PROVIDED IN FISCAL YEAR 2022 TO:~~

~~(i) ADDRESS ENROLLMENT DECLINES RELATED TO THE COVID-19 PANDEMIC; AND~~

~~(H) ENSURE THAT EVERY COUNTY BOARD RECEIVES AN INCREASE IN STATE EDUCATION AID OVER THE AMOUNT OF STATE EDUCATION AID THE COUNTY BOARD RECEIVED IN FISCAL YEAR 2021.~~

5-206.

(a) In this section, "Fund" means the Blueprint for Maryland's Future Fund.

(b) There is the Blueprint for Maryland's Future Fund.

(c) The purpose of the Fund is to assist in providing adequate funding for early childhood education and primary and secondary education to provide a world-class education to students so they are prepared for college and a career in the global economy of the 21st century, based on the recommendations of the Commission on Innovation and Excellence in Education.

(g) (1) The Fund may be used only to assist in providing adequate funding for:

(i) Early childhood education, primary and secondary education, and other programs, based on the recommendations of the Commission on Innovation and Excellence in Education, including revised education funding formulas; [and]

(ii) Maryland prekindergarten expansion grants; AND

(III) EARLY CHILDHOOD EDUCATION, PRIMARY AND SECONDARY EDUCATION, AND OTHER PROGRAMS FOR COSTS ASSOCIATED WITH THE CORONAVIRUS DISEASE 2019 (COVID-19), INCLUDING:

1. ONE-TIME PRIMARY AND SECONDARY EDUCATION AID GRANTS PROVIDED IN FISCAL YEAR 2022 TO:

A. ADDRESS ENROLLMENT DECLINES RELATED TO THE COVID-19 PANDEMIC; AND

B. ENSURE THAT EVERY COUNTY BOARD RECEIVES AN INCREASE IN STATE EDUCATION AID OVER THE AMOUNT OF STATE EDUCATION AID THE COUNTY BOARD RECEIVED IN FISCAL YEAR 2021; AND

2. GRANTS PROVIDED IN FISCAL YEARS 2021 AND 2022 FOR:

A. SUMMER SCHOOL PROGRAMS, TUTORING, AND OTHER SUPPLEMENTAL INSTRUCTION PROGRAMS TO ADDRESS STUDENT LEARNING LOSS;

**B. IDENTIFICATION OF AND SUPPORT FOR STUDENTS
DEALING WITH TRAUMA OR BEHAVIORAL HEALTH ISSUES; AND**

**C. SCHOOLS TO SAFELY REOPEN FOR IN-PERSON
INSTRUCTION.**

(2) The Fund may not be used for school construction under Subtitle 3 of this title.

~~16-305.~~

~~(e) (1) (i) Except as provided in subparagraphs (iii), (iv), [and] (v), (VI), AND (VII) of this paragraph, the total State operating fund per full-time equivalent student to the community colleges for each fiscal year as requested by the Governor shall be:~~

~~1. In fiscal year 2009, not less than an amount equal to 26.25% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;~~

~~2. In fiscal year 2010, not less than an amount equal to 23.6% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~3. In fiscal year 2011, not less than an amount equal to 21.8% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~4. In fiscal year 2012, not less than an amount equal to 20% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~5. In fiscal year 2014, an amount that is the greater of 19.7% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year or \$1,839.47 per full-time equivalent student;~~

~~6. In fiscal year 2015, an amount that is the greater of 19.7% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year or \$1,839.47 per full-time equivalent student;~~

~~7. In fiscal year 2017, not less than an amount equal to 20.5% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~8. In fiscal year 2018, not less than an amount equal to 21.0% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~9. In fiscal year 2019, not less than an amount equal to 22.0% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~10. In fiscal year 2020, not less than an amount equal to 23% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year; AND~~

~~11. In fiscal year 2021, not less than an amount equal to 25% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year[;]~~

~~12. In fiscal year 2022, not less than an amount equal to 27% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year; and~~

~~13. In fiscal year 2023 and each fiscal year thereafter, not less than an amount equal to 29% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year[;]~~

~~(ii) For purposes of this subsection, the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State for a fiscal year shall include nonecapital appropriations from the Higher Education Investment Fund.~~

~~(iii) Notwithstanding the provisions of subparagraph (i) of this paragraph, the total State operating funds to be distributed under this subsection to the community colleges for each of fiscal years 2011 and 2012 shall be \$194,407,432.~~

~~(iv) In fiscal year 2013, the total State operating funds for community colleges shall be \$199,176,114, to be distributed as follows:~~

1.	Allegany College.....	\$4,773,622;
2.	Anne Arundel Community College.....	\$27,235,329;
3.	Community College of Baltimore County.....	\$34,398,366;
4.	Carroll Community College.....	\$6,851,515;
5.	Cecil Community College.....	\$4,645,751;
6.	College of Southern Maryland.....	\$10,902,580;
7.	Chesapeake College.....	\$5,675,815;
8.	Frederick Community College.....	\$8,145,648;
9.	Garrett College.....	\$2,246,709;
10.	Hagerstown Community College.....	\$6,965,064;
11.	Harford Community College.....	\$9,990,806;
12.	Howard Community College.....	\$12,584,485;
13.	Montgomery College.....	\$35,998,553;
14.	Prince George's Community College.....	\$22,013,074;
15.	Wor Wie Community College.....	\$6,748,796.

~~(v) In fiscal year 2016, the total State operating funds for community colleges shall be \$222,744,620, to be distributed as follows:~~

1.	Allegany College.....	\$4,850,443;
2.	Anne Arundel Community College.....	\$28,715,483;
3.	Community College of Baltimore County.....	\$38,637,668;
4.	Carroll Community College.....	\$7,345,653;
5.	Cecil Community College.....	\$5,108,064;
6.	College of Southern Maryland.....	\$13,017,885;
7.	Chesapeake College.....	\$6,142,473;
8.	Frederick Community College.....	\$8,975,284;
9.	Garrett College.....	\$2,561,002;
10.	Hagerstown Community College.....	\$7,620,412;
11.	Harford Community College.....	\$10,865,634;
12.	Howard Community College.....	\$15,723,055;
13.	Montgomery College.....	\$40,000,786;
14.	Prince George's Community College.....	\$26,072,537;
15.	Wor-Wie Community College.....	\$7,108,241;

and

(VI) ~~IN FISCAL YEAR 2022, THE TOTAL STATE OPERATING FUNDS FOR THE COMMUNITY COLLEGES SHALL BE \$263,481,740 TO BE DISTRIBUTED AS FOLLOWS:~~

1.	ALLEGANY COLLEGE OF MARYLAND.....	\$5,475,489;
2.	ANNE ARUNDEL COMMUNITY COLLEGE.....	\$31,172,213;
3.	COMMUNITY COLLEGE OF BALTIMORE COUNTY.....	\$44,790,747;
4.	CARROLL COMMUNITY COLLEGE.....	\$8,108,664;
5.	CECIL COLLEGE.....	\$5,698,602;

- ~~6. COLLEGE OF SOUTHERN MARYLAND.....\$15,179,325;~~
- ~~7. CHESAPEAKE COLLEGE.....\$6,480,975;~~
- ~~8. FREDERICK COMMUNITY COLLEGE.....\$11,768,685;~~
- ~~9. GARRETT COLLEGE.....\$3,025,651;~~
- ~~10. HAGERSTOWN COMMUNITY COLLEGE.....\$9,002,527;~~
- ~~11. HARFORD COMMUNITY COLLEGE.....\$12,759,322;~~
- ~~12. HOWARD COMMUNITY COLLEGE.....\$20,901,077;~~
- ~~13. MONTGOMERY COLLEGE.....\$47,749,060;~~
- ~~14. PRINCE GEORGE'S COMMUNITY COLLEGE.....\$32,967,142; AND~~
- ~~15. WOR WIC COMMUNITY COLLEGE.....\$8,402,261.~~

~~(VII) BEGINNING IN FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, THE TOTAL STATE OPERATING FUNDS TO BE DISTRIBUTED UNDER THIS SUBSECTION TO EACH COMMUNITY COLLEGE SHALL BE THE AMOUNT OF AID PROVIDED IN THE CURRENT FISCAL YEAR AS APPROVED IN THE STATE BUDGET AS ENACTED BY THE GENERAL ASSEMBLY INCREASED BY THE PERCENTAGE BY WHICH THE PROJECTED TOTAL GENERAL FUND REVENUES FOR THE UPCOMING FISCAL YEAR EXCEED THE REVISED ESTIMATE OF TOTAL GENERAL FUND REVENUES FOR THE CURRENT FISCAL YEAR, AS CONTAINED IN THE DECEMBER REPORT OF ESTIMATED STATE REVENUES SUBMITTED BY THE BOARD OF REVENUE ESTIMATES TO THE GOVERNOR UNDER § 6-106 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~17-104.~~

~~(a) (1) Except as provided in paragraphs (2), (3), (4), [and] (5), (6), AND (7) of this subsection, the Maryland Higher Education Commission shall compute the amount of the annual apportionment for each institution that qualifies under this subtitle by multiplying the number of full-time equivalent students enrolled at the institution during the fall semester of the fiscal year preceding the fiscal year for which the aid apportionment is made, as determined by the Maryland Higher Education Commission by:~~

~~(i) In fiscal year 2009, an amount not less than 16% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the preceding fiscal year;~~

~~(ii) In fiscal year 2010, an amount not less than 12.85% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in the State for the same fiscal year;~~

~~(iii) In fiscal year 2011, an amount not less than 9.8% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;~~

~~(iv) In fiscal year 2012, an amount not less than 9.2% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;~~

~~(v) In fiscal year 2014, an amount that is the greater of 9.4% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year or \$875.53 per full-time equivalent student;~~

~~(vi) In fiscal year 2015, an amount that is the greater of 9.4% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year or \$875.53 per full-time equivalent student;~~

~~(vii) In fiscal year 2017, an amount not less than 10.1% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;~~

~~(viii) In fiscal year 2018, an amount not less than 10.5% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;~~

~~(ix) In fiscal year 2019, an amount not less than 10.8% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year; AND~~

~~(x) In fiscal year 2020, an amount not less than 11.1% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year]; and~~

~~(xi) In fiscal year 2022 and each fiscal year thereafter, an amount not less than 15.5% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year];~~

~~(2) For each of fiscal years 2011 and 2012, the total amount of the aid provided under this subtitle shall be \$38,445,958, to be allocated among the institutions that qualify under this subtitle in proportion to the number of full-time equivalent students enrolled at each institution during the fall semester of the fiscal year preceding the fiscal year for which the aid apportionment is made, as determined by the Maryland Higher Education Commission.~~

~~(3) In fiscal year 2013, the total amount of aid due to all institutions shall be \$38,056,175.~~

~~(4) In fiscal year 2016, the total amount of the aid provided under this subtitle shall be \$42,822,240, to be allocated among the institutions that qualify under this subtitle in proportion to the number of full-time equivalent students enrolled at each institution during the fall semester of fiscal year 2015, as determined by the Maryland Higher Education Commission.~~

~~(5) In fiscal year 2021, the total amount of the aid provided under this subtitle shall be \$69,624,905, to be allocated among the institutions that qualify under this subtitle in proportion to the number of full-time equivalent students enrolled at each institution during the fall semester of fiscal year 2020, as determined by the Maryland Higher Education Commission.~~

~~(6) IN FISCAL YEAR 2022, THE TOTAL AMOUNT OF AID DUE TO ALL INSTITUTIONS SHALL BE \$59,024,905 TO BE DISTRIBUTED AS FOLLOWS:~~

(I)	CAPITOL TECHNOLOGY UNIVERSITY.....	\$670,957;
(II)	GOUCHER COLLEGE.....	\$2,466,084;
(III)	HOOD COLLEGE.....	\$1,834,286;
(IV)	JOHNS HOPKINS UNIVERSITY.....	\$29,019,524;
(V)	LOYOLA UNIVERSITY MARYLAND.....	\$6,534,728;
(VI)	MARYLAND INSTITUTE COLLEGE OF ART.....	\$2,823,062;
(VII)	MCDANIEL COLLEGE.....	\$2,771,043;
(VIII)	MOUNT ST. MARY'S UNIVERSITY.....	\$2,676,349;
(IX)	NOTRE DAME OF MARYLAND UNIVERSITY.....	\$1,842,589;
(X)	ST. JOHN'S COLLEGE.....	\$843,131;
(XI)	STEVENSON UNIVERSITY.....	\$4,358,920;

~~(XII) WASHINGTON ADVENTIST UNIVERSITY.....\$1,171,808;~~

~~AND~~

~~(XIII) WASHINGTON COLLEGE.....\$2,012,424.~~

~~(7) BEGINNING IN FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, THE TOTAL AMOUNT OF AID PROVIDED TO EACH ELIGIBLE INSTITUTION UNDER THIS SUBTITLE SHALL BE THE AMOUNT OF AID PROVIDED IN THE CURRENT FISCAL YEAR INCREASED BY ONE PERCENTAGE POINT LESS THAN THE PERCENTAGE BY WHICH THE PROJECTED TOTAL GENERAL FUND REVENUES FOR THE UPCOMING FISCAL YEAR EXCEED THE REVISED ESTIMATE OF TOTAL GENERAL FUND REVENUES FOR THE CURRENT FISCAL YEAR, AS CONTAINED IN THE DECEMBER REPORT OF ESTIMATED STATE REVENUES SUBMITTED BY THE BOARD OF REVENUE ESTIMATES TO THE GOVERNOR UNDER § 6 106 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~18-401.~~

~~There is a program of senatorial scholarships in this State that are awarded under this subtitle.~~

~~18-407.~~

~~(d) (1) To the extent a scholarship awarded under § 18-404 of this subtitle is not used by a student, money appropriated to the Commission for that award not used by the end of the fiscal year shall be retained by the Commission for use by the awarding Senator in the Senatorial Scholarship Program during THE subsequent fiscal [years] YEAR.~~

~~(2) AT THE CLOSE OF A FISCAL YEAR, ANY FUNDS NOT USED AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DEPOSITED IN THE NEED BASED STUDENT FINANCIAL ASSISTANCE FUND ESTABLISHED UNDER § 18-107 OF THIS TITLE.~~

~~18-501.~~

~~(a) There is a program of Delegate Scholarships in this State that are awarded under this subtitle.~~

~~(e) (1) Money appropriated to the Commission for scholarships awarded under this section that is not used by the end of the fiscal year shall be retained by the Commission for use by the awarding Delegate in the Delegate Scholarship Program during THE subsequent fiscal [years] YEAR.~~

~~(2) AT THE CLOSE OF A FISCAL YEAR, ANY FUNDS NOT USED AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DEPOSITED IN THE NEED-BASED STUDENT FINANCIAL ASSISTANCE FUND ESTABLISHED UNDER § 18-107 OF THIS TITLE.~~

18-3201.

(a) In this subtitle the following words have the meanings indicated.

(b) “Foster care recipient” means an individual who was placed in an out-of-home placement by a state’s or unit of a state government’s department of social services for 3 years or more.

(d) “Program” means the Maryland Loan Assistance Repayment Program for Foster Care Recipients.

18-3203.

(a) Subject to the availability of funds [appropriated] under subsection (b) of this section, the award amount under the Program shall be equal to the lesser of:

(1) \$5,000; or

(2) 10% of the eligible individual’s total higher education loan debt for each year the individual qualifies for the Program.

(b) [The Governor annually shall include an appropriation of \$100,000 in the State budget for] **NOTWITHSTANDING ANY OTHER PROVISION OF LAW, the Commission SHALL USE A PORTION OF THE FUNDING PROVIDED IN THE STATE BUDGET FOR THE JANET L. HOFFMAN LOAN ASSISTANCE REPAYMENT PROGRAM ESTABLISHED UNDER SUBTITLE 15 OF THIS TITLE** to disburse assistance under this subtitle.

~~24-201.~~

~~There is a Maryland Public Broadcasting Commission.~~

~~24-204.~~

~~(d) (1) [Beginning in] FOR fiscal [year] YEARS 2019 AND 2020, [and for each fiscal year thereafter,] the Governor shall include in the annual budget bill a General Fund appropriation to the Commission in an amount not less than the General Fund appropriation for the current fiscal year as approved in the State budget as enacted by the General Assembly and increased by the percentage by which the projected total General Fund revenues for the upcoming fiscal year exceed the revised estimate of total General Fund revenues for the current fiscal year, as contained in the December report of estimated~~

~~State revenues submitted by the Board of Revenue Estimates to the Governor under § 6-106 of the State Finance and Procurement Article.~~

~~(2) (i) [In] FOR FISCAL YEARS 2019 THROUGH 2021, IN addition to the appropriation required under paragraph (1) of this subsection, if the actual amount of special funds in special fund code R15304 Community Services Grant and CPB Grant in budget code R15P00 Maryland Public Broadcasting Commission received by the Commission in the second previous fiscal year is lower than the amount that was budgeted for the Commission as approved in the State budget as enacted by the General Assembly for the second previous fiscal year, the Governor shall include in the annual budget bill, for the upcoming fiscal year, a General Fund appropriation to the Commission in an amount not less than the difference between the actual funds and the budgeted funds.~~

~~(ii) The general funds appropriated under subparagraph (i) of this paragraph may not be included in the calculation under paragraph (1) of this subsection for any subsequent fiscal year.~~

Article – Health – General

19–2201.

(a) In this section, “Fund” means the Community Health Resources Commission Fund.

(e) (1) Subject to paragraph (2) of this subsection, the Fund may be used only to:

(i) Cover the administrative costs of the Commission;

(ii) Cover the actual documented direct costs of fulfilling the statutory and regulatory duties of the Commission in accordance with the provisions of this subtitle;

(iii) Provide operating grants to qualifying community health resources; and

(iv) Provide funding for the development, support, and monitoring of a unified data information system among primary and specialty care providers, hospitals, and other providers of services to community health resource members.

(2) (iv) For fiscal [year] YEARS 2019 [and each fiscal year thereafter] THROUGH 2021, the Fund may be used for any project or initiative authorized under Title 10, Subtitle 2 and Title 13, Subtitle 3 of this article and approved by the Commission if no less than \$8,000,000 of the subsidy required under § 14–106(d)(2)(ii)2 of the Insurance Article is used in each fiscal year for the purposes under paragraph (1) of this subsection.

(V) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE AUTHORIZED UNDER TITLE 10, SUBTITLE 2 AND TITLE 13, SUBTITLE 3 OF THIS ARTICLE AND APPROVED BY THE COMMISSION IF NOT MORE THAN \$8,000,000 OF THE SUBSIDY REQUIRED UNDER § 14-106(D)(2)(II)2 OF THE INSURANCE ARTICLE IS USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.

Article – Insurance

6–102.1.

(a) This section applies to:

(1) an insurer, a nonprofit health service plan, a health maintenance organization, a dental plan organization, a fraternal benefit organization, and any other person subject to regulation by the State that provides a product that:

(i) was subject to § 9010 of the Affordable Care Act, as in effect on December 1, 2019; and

(ii) may be subject to an assessment by the State; and

(2) a managed care organization authorized under Title 15, Subtitle 1 of the Health – General Article.

(b) The purpose of this section is to assist in the stabilization of the individual health insurance market by assessing a health insurance provider fee that is attributable to State health risk for calendar years 2019 through 2023, both inclusive, as provided for under subsection (c) of this section.

(c) (1) In calendar year 2019, in addition to the amounts otherwise due under this subtitle, an entity subject to this section shall be subject to an assessment of 2.75% on all amounts used to calculate the entity's premium tax liability under § 6–102 of this subtitle or the amount of the entity's premium tax exemption value for calendar year 2018.

(2) In calendar years 2020 through 2023, both inclusive, in addition to the amounts otherwise due under this subtitle, an entity subject to this section shall be subject to an assessment of 1% on all amounts used to calculate the entity's premium tax liability under § 6–102 of this subtitle or the amount of the entity's premium tax exemption value for the immediately preceding calendar year.

(3) The assessments required in paragraphs (1) and (2) of this subsection are for products that:

(i) were subject to § 9010 of the Affordable Care Act, as in effect on December 1, 2019; and

(ii) may be subject to an assessment by the State.

(4) The calculation of the assessments required under paragraphs (1) and (2) of this subsection shall be made without regard to:

(i) the threshold limits established in § 9010(b)(2)(A) of the Affordable Care Act; or

(ii) the partial exclusion of net premiums provided for in § 9010(b)(2)(B) of the Affordable Care Act.

(d) **(1) (I) IN EACH OF FISCAL YEARS 2021 ~~THROUGH 2026~~ AND 2022, ~~THE GOVERNOR SHALL TRANSFER \$100,000,000~~ OF THE FUNDS COLLECTED FROM THE ASSESSMENT REQUIRED UNDER THIS SECTION SHALL BE TRANSFERRED IN ACCORDANCE WITH SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH TO MEDICAL CARE PROVIDER REIMBURSEMENTS (M00Q01.03) WITHIN THE MEDICAL CARE PROGRAMS ADMINISTRATION OF THE MARYLAND DEPARTMENT OF HEALTH.**

(II) IF ALL OR A PORTION OF THE FUNDS REQUIRED TO BE TRANSFERRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH HAVE BEEN RECEIVED AND ARE HELD IN THE MARYLAND HEALTH BENEFIT EXCHANGE FUND ESTABLISHED UNDER § 31-107 OF THIS ARTICLE, THE GOVERNOR SHALL TRANSFER THE AVAILABLE AMOUNT IN THE FUND.

(III) IF THE AMOUNT OF FUNDS TRANSFERRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IS LESS THAN THE AMOUNT REQUIRED TO BE TRANSFERRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE INSURANCE COMMISSIONER SHALL TRANSFER THE REMAINING AMOUNT FROM THE FUNDS COLLECTED FROM THE ASSESSMENT REQUIRED UNDER THIS SECTION.

(2) Notwithstanding § 2-114 of this article, the **REMAINDER OF THE** assessment required under this section **AFTER ANY TRANSFERS MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION** shall be distributed by the Commissioner to the Maryland Health Benefit Exchange Fund established under § 31-107 of this article.

14-106.

(d) (1) Notwithstanding subsection (c) of this section, a nonprofit health service plan that is subject to this section and issues comprehensive health care benefits in the State shall:

(i) offer health care products in the individual market;

(ii) offer health care products in the small employer group market in accordance with Title 15, Subtitle 12 of this article;

(iii) subsidize the Senior Prescription Drug Assistance Program established under Title 15, Subtitle 10 of the Health – General Article;

(iv) subsidize the Kidney Disease Program under Title 13, Subtitle 3 of the Health – General Article;

(v) support the costs of the Community Health Resources Commission under Title 19, Subtitle 21 of the Health – General Article, including:

1. operating grants to community health resources;
2. funding for a unified data information system;
3. the documented direct costs of fulfilling the statutory and regulatory duties of the Commission; and
4. the administrative costs of the Commission; and

(vi) subsidize the provision of mental health services to the uninsured under Title 10, Subtitle 2 of the Health – General Article.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, the support provided under paragraph (1)(iv), (v), and (vi) of this subsection to the Kidney Disease Program, the Community Health Resources Commission, and the Maryland Department of Health, respectively, shall be the value of the premium tax exemption less the subsidy required under this subsection for the Senior Prescription Drug Assistance Program.

(ii) **[The] SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE** subsidy provided under this subsection to the Community Health Resources Commission may not be less than:

1. \$3,000,000 for each of fiscal years 2012 and 2013; and
2. \$8,000,000 for **EACH OF** fiscal [year] **YEARS** 2014 [and each fiscal year thereafter] **THROUGH 2021**.

(III) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE SUBSIDY PROVIDED UNDER THIS SUBSECTION TO THE COMMUNITY HEALTH RESOURCES COMMISSION MAY NOT EXCEED \$8,000,000.

(3) For any year, the subsidy and funding required under this subsection by a nonprofit health service plan subject to this section may not exceed the value of the nonprofit health service plan's premium tax exemption under § 6–101(b) of this article.

(e) The subsidy that a nonprofit health service plan is required to provide to the Senior Prescription Drug Assistance Program under subsection (d)(1)(iii) of this section [may not exceed]:

(1) for the period of January 1, 2006 through June 30, 2006, **MAY NOT EXCEED \$8,000,000;**

(2) for fiscal years 2008 through [2025] **2021, MAY NOT EXCEED \$14,000,000; [and]**

(3) **FOR FISCAL YEAR 2022 AND EACH YEAR THEREAFTER, MAY NOT BE LESS THAN ~~\$14,000,000;~~ AND \$11,500,000;**

(4) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, MAY NOT BE LESS THAN \$14,000,000; AND

~~(4)~~ (5) for any year, **MAY NOT EXCEED** the value of the nonprofit health service plan's premium tax exemption under § 6–101(b) of this article.

31–107.2.

(a) (1) For State fiscal year 2015 and for each State fiscal year thereafter, from the funds received from the distribution of the premium tax under § 6–103.2 of this article, the Governor shall provide an appropriation in the State budget adequate to fully fund the operations of the Exchange.

(2) (i) For State fiscal year 2015, the appropriation shall be no less than \$10,000,000.

(ii) For State fiscal year 2021, the appropriation shall be \$31,500,000.

(iii) For [each] State fiscal year **2022 AND EACH FISCAL YEAR** thereafter, the appropriation shall be [not less than \$35,000,000] **\$32,000,000.**

Article – Natural Resources

4–209.

(k) [The] **BEGINNING IN FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, THE** Governor shall include in the **ANNUAL** budget bill [for each fiscal year]

1 a General Fund appropriation to the Fisheries Research and Development Fund of not less
2 than \$1,794,000.

3 Article – State Finance and Procurement

4 ~~4-608.~~

5 ~~[(a)] Annually, the State shall appropriate in the State budget and pay to the~~
6 ~~Mayor and Aldermen of the City of Annapolis at least [\$750,000] \$367,000 as payment for~~
7 ~~services provided to the State by the City of Annapolis.~~

8 ~~[(b)] For fiscal year 2022 and each fiscal year thereafter, the appropriation required~~
9 ~~under subsection (a) of this section shall be increased by the percent increase in the~~
10 ~~Consumer Price Index for All Urban Consumers for the Baltimore Metropolitan Statistical~~
11 ~~Area.]~~

12 ~~6-104.~~

13 ~~(e) (1) Beginning with the revenue estimate for fiscal year 2020, the Bureau~~
14 ~~shall calculate the share of General Fund revenues represented by nonwithholding income~~
15 ~~tax revenues in accordance with this subsection.~~

16 ~~(2) (i) For each fiscal year, the Bureau shall calculate the 10-year~~
17 ~~average share of General Fund revenues represented by nonwithholding income tax~~
18 ~~revenues.~~

19 ~~(ii) 1. For each fiscal year, the 10-year average shall use the 10~~
20 ~~most recently completed fiscal years for which data are available when the estimate is~~
21 ~~prepared in the September before the beginning of the fiscal year.~~

22 ~~2. The same 10-year average shall be used in all subsequent~~
23 ~~revisions to the revenue estimate for that fiscal year.~~

24 ~~(3) (i) Subject to subparagraph (ii) of this paragraph, for each fiscal~~
25 ~~year, if the Bureau's estimate of the share of General Fund revenues from nonwithholding~~
26 ~~income tax revenues is above the 10-year average share, the Bureau shall adjust the~~
27 ~~revenue estimate by reducing General Fund revenues from nonwithholding income tax~~
28 ~~revenues by an amount sufficient to align the estimated share of General Fund revenues~~
29 ~~from nonwithholding income tax revenues with the 10-year average share of General Fund~~
30 ~~revenues from nonwithholding income taxes.~~

31 ~~(ii) The adjustment made under subparagraph (i) of this paragraph~~
32 ~~may not exceed the following percentage of total General Fund revenues or dollar value in~~
33 ~~a specified fiscal year:~~

34 ~~1. 0.225% for fiscal year 2020;~~

~~2. \$0 for fiscal year 2021;~~
~~3. [\$80,000,000] \$0 for fiscal year 2022;~~
~~4. \$100,000,000 for fiscal year 2023;~~
~~5. \$120,000,000 for fiscal year 2024;~~
~~6. \$140,000,000 for fiscal year 2025; and~~
~~7. 2% for fiscal year 2026 and each fiscal year thereafter.~~

~~(iii) The capped estimate calculated under this paragraph shall be incorporated in the revenue estimate the Bureau shall report to the Board in the report required under subsection (b)(2) of this section.~~

7-329.

(a) (1) In this section the following words have the meanings indicated.

(2) "Fund" means the Fiscal Responsibility Fund established under § 7-330 of this subtitle.

(3) (i) "Nonwithholding income tax revenues" means the State share of income tax quarterly estimated and final payments with returns made by individuals, as defined in § 10-101 of the Tax – General Article.

(ii) "Nonwithholding income tax revenues" does not include:

1. the county share of income tax quarterly estimated and final payments with returns made by individuals;

2. income tax payments made by corporations;

3. income tax refunds paid to individuals or corporations; or

4. income tax withholding.

(b) At the end of fiscal year 2020, and each fiscal year thereafter, if General Fund revenues for the fiscal year are less than the March estimate of the Board of Revenue Estimates, the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6-104(e) of this article shall be applied to close the gap in revenues for that fiscal year.

(b-1) At the end of fiscal year [2020] 2022 only, if the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6-104(e) of this article exceeds the amount necessary to close the gap in revenues under subsection (b) of

this section, the State Comptroller shall distribute the remainder to the Fiscal Responsibility Fund established under § 7-330 of this subtitle for the purpose of providing, beginning July 1, [2020] **2022, A COST-OF-LIVING ADJUSTMENT OF UP TO 4.5%** for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by [one of the following exclusive representatives, a cost-of-living adjustment as follows:

(1) up to 1% for] the American Federation of State, County and Municipal Employees, AFL-CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL-CIO Local 1859[; and

(2) any revenues that exceed the amount needed for the cost-of-living adjustment in item (1) of this subsection shall be distributed proportionally to provide up to 2% for the following:

(i) the American Federation of State, County and Municipal Employees, AFL-CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL-CIO Local 1859;

(ii) AFT Healthcare-Maryland, AFT, AFL-CIO Local 5197; and

(iii) the Maryland Professional Employees Council/AFT/AFL-CIO Local 6197].

7-330.

(b) There is a Fiscal Responsibility Fund.

(c) The purpose of the Fund is to retain the amount of nonwithholding income tax revenues deposited to the Fund in accordance with § 7-329(d)(2) of this subtitle until the revenues are appropriated in the State budget.

(f) The Fund consists of nonwithholding income tax revenues that exceed the capped estimate determined under § 6-104(e) of this article deposited into the Fund by the State Comptroller under § 7-329(d)(2) of this subtitle.

(g) (1) Except as provided in paragraph (2) of this subsection, the Fund may be used only to provide pay-as-you-go capital funds for:

(i) public school construction and public school capital improvement projects, in accordance with Title 5, Subtitle 3 of the Education Article;

(ii) capital projects at public community colleges; and

(iii) capital projects at four-year public institutions of higher education.

(2) For fiscal year [2021] 2023 only, money in the Fund shall be used to provide, beginning July 1, [2020] 2022, A COST-OF-LIVING ADJUSTMENT OF UP TO 4.5% for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by [one of the following exclusive representatives, a cost-of-living adjustment as follows:

(i) up to 1% for] the American Federation of State, County and Municipal Employees, AFL-CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL-CIO Local 1859[; and

(ii) any revenues that exceed the amount needed for the cost-of-living adjustment in item (i) of this paragraph shall be distributed proportionally to provide up to 2% for the following:

1. the American Federation of State, County and Municipal Employees, AFL-CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL-CIO Local 1859;

2. AFT Healthcare-Maryland, AFT, AFL-CIO Local 5197;
and

3. the Maryland Professional Employees Council/AFT/AFL-CIO Local 6197].

(i) (1) Except as provided in paragraph (3) of this subsection, the Governor shall include in the budget bill for the second following fiscal year an appropriation equal to the amount in the Fund for pay-as-you-go capital projects.

(3) The Governor shall include in the budget bill submitted at the [2021] 2022 Session of the General Assembly an appropriation equal to the amount distributed to the Fund in accordance with § 7-329(b-1) of this subtitle to provide, beginning July 1, [2020] 2022, A COST-OF-LIVING ADJUSTMENT OF UP TO 4.5% for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by [one of the following exclusive representatives, a cost-of-living adjustment as follows:

(i) up to 1% for] the American Federation of State, County and Municipal Employees, AFL-CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL-CIO Local 1859[; and

(ii) any revenues that exceed the amount needed for the cost-of-living adjustment in item (i) of this paragraph shall be distributed proportionally to provide up to 2% for the following:

1. the American Federation of State, County and Municipal Employees, AFL-CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL-CIO Local 1859;

2. AFT Healthcare-Maryland, AFT, AFL-CIO Local 5197;
and

3. the Maryland Professional Employees Council/AFT/AFL-CIO Local 6197].

~~7-311.~~

~~(j) (1) Except as provided in paragraph (2) of this subsection, for fiscal year 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation:~~

~~(i) for fiscal year 2017, to the accumulation funds of the State Retirement and Pension System an amount, up to a maximum of \$50,000,000, that is equal to one half of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000;~~

~~(ii) for fiscal year 2020:~~

~~1. to the accumulation funds of the State Retirement and Pension System an amount, up to a maximum of \$50,000,000, that is equal to one half of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000; and~~

~~2. to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000, less the amount of the appropriation under item 1 of this item;~~

~~(iii) for fiscal year 2021, to the Account in the amount of \$291,439,149; [and]~~

~~(iv) for fiscal year 2022 [and each fiscal year thereafter], TO THE ACCOUNT IN THE AMOUNT OF \$103,763,517; AND~~

~~(V) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER:~~

~~1. to the accumulation funds of the State Retirement and Pension System an amount, up to a maximum of \$25,000,000, that is equal to one quarter of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000;~~

~~2. to the Postretirement Health Benefits Trust Fund established under § 34-101 of the State Personnel and Pensions Article an amount, up to a maximum of \$25,000,000, that is equal to one quarter of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000; and~~

~~3. to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000, less the amount of the appropriations under items 1 and 2 of this item.~~

~~7-325.~~

~~(a) (1) In each of fiscal years 2011 and 2012, the Governor shall include in the annual budget bill submitted to the General Assembly a General Fund appropriation for the Maryland State Arts Council of not less than \$13,298,434.~~

~~(2) For fiscal [year] YEARS 2013 [and each fiscal year thereafter] THROUGH 2021, the Governor shall include in the annual budget bill submitted to the General Assembly a General Fund appropriation for the Maryland State Arts Council in an amount not less than the amount of the General Fund appropriation for the Council as approved in the State budget as enacted by the General Assembly for the prior fiscal year, increased by not less than the percentage by which the projected total General Fund revenues for the upcoming fiscal year exceed the revised estimate of total General Fund revenues for the current fiscal year, as contained in the report of estimated State revenues submitted by the Board of Revenue Estimates to the Governor under § 6-106(b) of this article.~~

~~(3) IN FISCAL YEAR 2022, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL SUBMITTED TO THE GENERAL ASSEMBLY A GENERAL FUND APPROPRIATION FOR THE MARYLAND STATE ARTS COUNCIL OF \$22,410,253.~~

~~(4) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL SUBMITTED TO THE GENERAL ASSEMBLY A GENERAL FUND APPROPRIATION FOR THE MARYLAND STATE ARTS COUNCIL IN AN AMOUNT NOT LESS THAN THE AMOUNT OF THE GENERAL FUND APPROPRIATION FOR THE COUNCIL AS APPROVED IN THE STATE BUDGET AS ENACTED BY THE GENERAL ASSEMBLY FOR THE PRIOR FISCAL YEAR, INCREASED BY ONE PERCENTAGE POINT LESS THAN THE PERCENTAGE BY WHICH THE PROJECTED TOTAL GENERAL FUND REVENUES FOR THE UPCOMING FISCAL YEAR EXCEED THE REVISED ESTIMATE OF TOTAL GENERAL FUND REVENUES FOR THE CURRENT FISCAL YEAR, AS CONTAINED IN THE REPORT OF ESTIMATED STATE REVENUES SUBMITTED BY THE BOARD OF REVENUE ESTIMATES TO THE GOVERNOR UNDER § 6-106(B) OF THIS ARTICLE.~~

~~(b) The Legislative Auditor has the authority to conduct a review or audit of any recipient of a grant from the Maryland State Arts Council.~~

~~§ 132.~~

~~(a) There is an Annuity Bond Fund.~~

~~(b) The Comptroller shall:~~

~~(1) credit to the Annuity Bond Fund any money appropriated in the State budget to:~~

~~(i) meet the debt service requirements on State bonds; and~~

~~(ii) pay the costs of fiscal agents and other contracting parties appointed by the State Treasurer under §§ 8-121 and 8-136 of this subtitle; and~~

~~(2) as specified in the appropriation, use the money to meet the debt service on the State bonds and pay fiscal agents and other contracting parties' costs.~~

~~(c) Any premium from the sale of State bonds transferred to the Annuity Bond Fund under § 8-125 of this subtitle may be used to [pay debt service on State bonds];~~

~~(1) PAY DEBT SERVICE ON STATE BONDS;~~

~~(2) PAY FOR CAPITAL PROJECTS INCLUDED IN PREVIOUS AUTHORIZATIONS OF STATE BONDS; AND~~

~~(3) REDUCE THE PRINCIPAL AMOUNT OF THE ISSUANCE OF THE CURRENT SALE OR OF A FUTURE SALE.~~

~~(D) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (C) OF THIS SECTION, FOR FISCAL YEARS 2021 THROUGH 2023, BOND PREMIUMS MAY BE USED TO SUPPORT CAPITAL PROJECTS AUTHORIZED SUBSEQUENT TO THE ISSUANCE OF THE BONDS.~~

~~10-501.~~

~~(a) (1) Subject to PARAGRAPH (3) OF THIS SUBSECTION AND subsection (b) of this section, the Board of Public Works may grant to an individual erroneously convicted, sentenced, and confined under State law for a crime the individual did not commit an amount commensurate with the actual damages sustained by the individual, and may grant a reasonable amount for any financial or other appropriate counseling for the individual, due to the confinement.~~

~~(2) In making a grant under paragraph (1) of this subsection, the Board of Public Works shall use money in the General Emergency Fund or money that the Governor provides in the annual budget.~~

~~(3) FOR ALL SETTLEMENTS ENTERED INTO BEGINNING IN FISCAL YEAR 2021, A LOCAL GOVERNMENT SHALL BE RESPONSIBLE FOR 50% OF ANY PAYMENTS OWED TO AN INDIVIDUAL ELIGIBLE UNDER THIS SUBTITLE.~~

~~(b) An individual is eligible for a grant under subsection (a) of this section if:~~

~~(1) the individual has received from the Governor a full pardon stating that the individual's conviction has been shown conclusively to be in error; or~~

~~(2) the State's Attorney certifies that the individual's conviction was in error under § 8-301 of the Criminal Procedure Article.~~

Article – Tax – General

2–1303.

(a) After making the distributions required under §§ 2–1301 through 2–1302.1 of this subtitle, the Comptroller shall pay:

(1) revenues from the hotel surcharge into the Dorchester County Economic Development Fund established under § 10–130 of the Economic Development Article;

(2) subject to [subsection] SUBSECTIONS (b) AND (c) of this section, to The Blueprint for Maryland's Future Fund established under § 5–219 of the Education Article, revenues collected and remitted by:

(i) a marketplace facilitator; or

(ii) a person that engages in the business of an out-of-state vendor and that is required to collect and remit sales and use tax as specified in COMAR 03.06.01.33B(5); and

(3) the remaining sales and use tax revenue into the General Fund of the State.

(b) For each fiscal year, the Comptroller shall pay into the General Fund of the State the first \$100,000,000 of revenues collected and remitted by:

(1) a marketplace facilitator; or

(2) a person that engages in the business of an out-of-state vendor and that is required to collect and remit sales and use tax as specified in COMAR 03.06.01.33B(5).

(C) FOR FISCAL YEAR 2021, AFTER THE DISTRIBUTION MADE UNDER SUBSECTION (B) OF THIS SECTION, THE COMPTROLLER SHALL TRANSFER TO THE EDUCATION TRUST FUND ESTABLISHED UNDER § 9-1A-30 OF THE STATE GOVERNMENT ARTICLE \$144,566,291 TO SUPPLEMENT PRIOR YEAR OBLIGATIONS AND \$30,278,726 TO SUPPLEMENT THE SHORTFALL IN FISCAL YEAR 2021 OF THE REVENUES COLLECTED AND REMITTED BY:

(1) A MARKETPLACE FACILITATOR; OR

(2) A PERSON THAT ENGAGES IN THE BUSINESS OF AN OUT-OF-STATE VENDOR AND THAT IS REQUIRED TO COLLECT AND REMIT SALES AND USE TAX AS SPECIFIED IN COMAR 03.06.01.33B(5).

Article – Tax – Property

~~2-106.~~

~~(a) Each county shall provide the supervisor of the county with an office in the county seat or in Baltimore City, for the supervisor of Baltimore City. The Department is responsible for providing each supervisor with clerical staff, equipment, and other facilities and assistance that the Department considers necessary and as provided in the State budget.~~

~~(b) (1) Except as provided in [paragraph] PARAGRAPHS (2), (3), AND (4) of this subsection, each county and Baltimore City shall be responsible for reimbursing the State for the costs of administering the Department as follows:~~

~~(i) 50% of the costs of real property valuation;~~

~~(ii) 50% of the costs of business personal property valuation; and~~

~~(iii) 50% of the costs of the Office of Information Technology within the Department, including any funding for departmental projects in the Major Information Technology Development Project Fund established under § 3A-309 of the State Finance and Procurement Article.~~

~~(2) For each of fiscal years 2012 and 2013, each county and Baltimore City shall be responsible for reimbursing the State 90% instead of 50% of the costs of administering the Department described in paragraph (1) of this subsection.~~

~~(3) FOR EACH OF FISCAL YEARS 2022 THROUGH 2025, EACH COUNTY AND BALTIMORE CITY SHALL BE RESPONSIBLE FOR REIMBURSING THE STATE FOR THE COSTS OF ADMINISTERING THE DEPARTMENT AS FOLLOWS:~~

~~(I) 60% OF THE COSTS OF REAL PROPERTY VALUATION IN FISCAL YEAR 2022 INCREASING BY 10 PERCENTAGE POINTS IN EACH SUBSEQUENT FISCAL YEAR TO 90%;~~

~~(II) 60% OF THE COSTS OF BUSINESS PERSONAL PROPERTY VALUATION IN FISCAL YEAR 2022 INCREASING BY 10 PERCENTAGE POINTS IN EACH SUBSEQUENT FISCAL YEAR TO 90%; AND~~

~~(III) 60% OF THE COSTS OF THE OFFICE OF INFORMATION TECHNOLOGY WITHIN THE DEPARTMENT, INCLUDING ANY FUNDING FOR DEPARTMENTAL PROJECTS IN THE MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND ESTABLISHED UNDER § 3A-309 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, IN FISCAL YEAR 2022 INCREASING BY 10 PERCENTAGE POINTS IN EACH SUBSEQUENT FISCAL YEAR TO 90%.~~

~~(4) FOR FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER, EACH COUNTY AND BALTIMORE CITY SHALL BE RESPONSIBLE FOR REIMBURSING THE STATE FOR THE COSTS OF ADMINISTERING THE DEPARTMENT AS FOLLOWS:~~

~~(I) 90% OF THE COSTS OF REAL PROPERTY VALUATION;~~

~~(II) 90% OF THE COSTS OF BUSINESS PERSONAL PROPERTY VALUATION; AND~~

~~(III) 90% OF THE COSTS OF THE OFFICE OF INFORMATION TECHNOLOGY WITHIN THE DEPARTMENT, INCLUDING ANY FUNDING FOR DEPARTMENTAL PROJECTS IN THE MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND ESTABLISHED UNDER § 3A-309 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(e) Costs under subsection (b) of this section shall be allocated among the counties and Baltimore City as follows:~~

~~(1) costs under subsection (b)(1)(i) and (iii) of this section will be allocated based on the number of real property accounts of a county or Baltimore City as a percentage of the total number of real property accounts statewide as of July 1 of the preceding fiscal year; and~~

~~(2) costs under subsection (b)(1)(ii) of this section will be allocated based on the business personal property assessable base of a county or Baltimore City as a percentage of the total business personal property assessable bases statewide as of July 1 of the preceding fiscal year.~~

~~(d) Each county and Baltimore City shall remit a quarterly payment to the Comptroller for 25% of the jurisdiction's share of costs on the following dates:~~

~~(1) July 1;~~

~~(2) October 1;~~

~~(3) January 1; and~~

~~(4) April 1.~~

~~(e) The Comptroller may withhold a portion of a local income tax distribution of a county or Baltimore City that fails to make timely payment in accordance with this section.~~

~~8-213.~~

(a) (1) In this section the following words have the meanings indicated.

(2) "Agreement" means an agreement made under subsection (b) of this section.

(3) "Assessment rate index" means the percentage, if any, by which the amount of the State assessable base for the taxable year exceeds the average annual amount of the State assessable base in the immediately preceding assessment cycle.

(4) "State assessable base" means the total assessable base, as determined by the Supervisor of Assessments, of all real property in the State subject to taxation.

(b) The Department may make agreements with country clubs and golf courses that specify the manner of assessing the land of a country club or golf course. All agreements shall contain uniform provisions.

(c) (1) (i) Except as provided in paragraph (2) of this subsection and subject to subparagraphs (iii) and (iv) of this paragraph, the land of a country club or golf course that is actively used as a country club or golf course that meets the requirements of § 8-212 of this subtitle shall be valued:

1. at rates equivalent to land assessed under § 8-219 of this subtitle, if the land is subject to an agreement entered into before June 1, 2020, that has not been extended for a term of years beginning on or after June 1, 2020; or

2. at the rates specified under subparagraph (ii) of this paragraph, if the land is subject to an agreement entered into:

A. on or after June 1, 2020; or

B. before June 1, 2020, that is extended for a term of years beginning on or after June 1, 2020.

(ii) The land of a country club or golf course subject to an agreement described under subparagraph (i)2] (I)2A of this paragraph shall be valued[:

1.] for the [first taxable year after] DATE OF FINALITY NEXT FOLLOWING the DATE OF THE agreement [or extension takes effect], at the lesser of:

[A.] 1. market value per acre; or

[B.] 2. [\$2,000] \$5,000 per acre[;

2. for the second taxable year after the agreement or extension takes effect, at the lesser of:

A. market value per acre; or

B. \$3,500 per acre; or

3. for the third taxable year after the agreement or extension takes effect, at the lesser of:

A. market value per acre; or

B. \$5,000 per acre].

[(iii) The rate of valuation required for the land of a country club or golf course under subparagraph (ii)3A of this paragraph shall be increased annually by an amount equal to the product of multiplying:

1. the greater of:

A. the valuation rate for the last assessment of the land; or

B. market value per acre; and

2. the assessment rate index.]

(III) THE LAND OF A COUNTRY CLUB OR GOLF COURSE SUBJECT TO AN AGREEMENT DESCRIBED UNDER SUBPARAGRAPH (I)2B OF THIS PARAGRAPH SHALL BE VALUED, FOR THE ASSESSMENT CYCLE NEXT FOLLOWING THE DATE OF THE EXTENSION, AT THE LESSER OF:

1. MARKET VALUE PER ACRE; OR

2. \$5,000 PER ACRE.

(iv) The rate of valuation required for the land of a country club or golf course under [subparagraph (ii)3B] SUBPARAGRAPHS (II)2 AND (III)2 of this paragraph shall be increased [annually] TRIENNIALY by an amount equal to the product of multiplying:

1. the greater of:

A. the valuation rate for the last assessment of the land; or

B. \$5,000 per acre; and

2. the assessment rate index.

(2) If the land of a country club or golf course that meets the requirements of § 8-212 of this subtitle has a greater market value than its value when used as a country club or golf course, the land shall also be assessed on the basis of the greater value.

(3) Except as provided under § 8-216 of this subtitle, the property tax payable by a country club or golf course under this section is based on the assessment of the land under paragraph (1) of this subsection.

(4) If an assessment is made on the greater value under paragraph (2) of this subsection, the assessment records for the country club or golf course shall record the assessment under paragraphs (1) and (2) of this subsection.

(5) Any assessment of the land of a country club or golf course under this section is effective on the date of finality next following the date of an agreement.

(d) (1) An agreement shall be for at least 10 consecutive years or for a longer period as determined by the country club or golf course and the Department.

(2) An agreement may be extended, but only in increments of at least 5 years.

13-209.

~~(d) Subject to subsections (d-1) and (e) of this section, for the fiscal year beginning July 1, 2002 and for each subsequent fiscal year, the balance of the revenue in the special fund, not required under subsection (b) of this section and not allocated to the General Fund under subsection (c)(1) of this section shall be allocated in the State budget as follows:~~

~~(1) (i) 75.15% for the purposes specified in Title 5, Subtitle 9 of the Natural Resources Article (Program Open Space); and~~

~~(ii) an additional 1% for Program Open Space, for land acquisition purposes as specified in § 5-903(a)(2) of the Natural Resources Article;~~

~~(2) 17.05% for the Agricultural Land Preservation Fund established under § 2-505 of the Agriculture Article;~~

~~(3) 5% for the Rural Legacy Program established under § 5-9A-01 of the Natural Resources Article; and~~

~~(4) 1.8% for the Heritage Conservation Fund established under § 5-1501 of the Natural Resources Article.~~

~~(d-1) (1) In this subsection, “eligible purpose” means a purpose, program, or fund to which revenue in the special fund is required to be allocated under subsection (d) of this section.~~

~~(2) For any [fiscal year beginning on or after July 1, 2010, but before July 1, 2013, for] OF THE FISCAL YEARS 2011, 2012, 2013, AND 2022 IN which funding is provided for an eligible purpose through the State Consolidated Capital Bond Funding Program or other bond enabling act:~~

~~(i) from the balance of the special fund, before the allocations under subsection (d) of this section are made, an amount shall be allocated to the General Fund of the State equal to the total amount of funding provided for eligible purposes through the bond enabling act; and~~

~~(ii) except as otherwise expressly provided under the bond enabling act through which the funding is provided, the allocations provided under subsection (d) of this section shall be adjusted to reduce the amount that would otherwise be allocated for each eligible purpose by the amount of funding provided for that purpose under the bond enabling act.~~

~~(3) Notwithstanding any other provision of law, a transfer under this subsection may not be taken into account for purposes of determining any allocation or appropriation required under subsection (f) or (g) of this section.~~

(g) (2) (i) 1. The Governor shall include in the annual budget bill for fiscal year 2021 a General Fund appropriation to the special fund in the amount of \$5,690,501.

2. The Governor shall include in each of the annual budget bills for fiscal years ~~{2022 and} 2023 AND 2024~~ a General Fund appropriation to the special fund in the amount of \$12,500,000.

3. The Governor shall include in the annual budget bill for fiscal year ~~{2024} 2025~~ a General Fund appropriation to the special fund in the amount of \$6,809,499.

(ii) The appropriations required under subparagraph (i) of this paragraph:

1. cumulatively represent reimbursement for 50% of the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal year 2006;

2. are not subject to the provisions of subsections (a), (b), (c), and (f) of this section;

3. shall be allocated as provided in subsection (d) of this section and § 5-903 of the Natural Resources Article; and

4. shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

A. exceeds the required appropriation under this paragraph; and

B. is identified as an appropriation for reimbursement under this paragraph.

(3) (i) **1.** The Governor shall include in each of the annual budget bills for fiscal year 2019 and fiscal years [2022] **2023** through ~~2026~~ **2027** a General Fund appropriation to the special fund in the amount of \$6,000,000 and for fiscal year ~~2027~~ **2028** a General Fund appropriation to the special fund in the amount of \$4,000,000 for park development and the critical maintenance of State projects located on lands managed by the Department of Natural Resources for public purposes.

2. THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FOR FISCAL YEAR 2022 ONLY A GENERAL FUND APPROPRIATION TO THE SPECIAL FUND IN THE AMOUNT OF \$21,930,475 FOR THE CRITICAL MAINTENANCE OF STATE PROJECTS LOCATED ON LANDS MANAGED BY THE DEPARTMENT OF NATURAL RESOURCES FOR PUBLIC PURPOSES.

(ii) The appropriations required under subparagraph (i) of this paragraph:

1. represent reimbursement for ~~44.4%~~ **62.1%** of the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal year 2006;

2. are not subject to the provisions of subsections (a), (b), (c), and (f) of this section;

3. shall be made until the cumulative total amount appropriated under subparagraph (i) of this paragraph is equal to ~~\$40,000,000~~ **\$55,930,475**; and

1 4. shall be reduced by the amount of any appropriation from
2 the General Fund to the special fund that:

3 A. exceeds the required appropriation under this paragraph;

4 B. is identified as an appropriation for reimbursement under
5 this paragraph; and

6 C. supplements rather than supplants the Department of
7 Natural Resources funding for the critical maintenance of State projects on State lands,
8 based on the average critical maintenance budget of the 10 years preceding the
9 appropriation.

10 (4) (i) Subject to subparagraph (ii) of this paragraph, the Governor
11 shall appropriate from the General Fund to the special fund ~~\$152,165,700~~ **\$136,235,225**,
12 which equals the cumulative amount of the appropriations or transfers from the special
13 fund to the General Fund for fiscal years 2016, 2017, and 2018, less \$72,000,000.

14 (ii) The Governor shall appropriate at least:

15 1. ~~1. \$25,360,950~~ **\$9,430,475** on or before June 30, 2022;

16 2. an additional ~~1. \$50,721,900~~ on or before June 30, 2026;

17 ~~3. 2. \$50,721,900~~ on or before June 30, 2030; and

18 ~~4. 3. \$50,721,900~~ on or before
19 June 30, ~~2031~~ **2032**.

20 (iii) The appropriations required under subparagraphs (i) and (ii) of
21 this paragraph:

22 1. represent reimbursement for the cumulative amount of
23 any appropriation or transfer from the special fund to the General Fund for fiscal years
24 2016, 2017, and 2018, less \$72,000,000;

25 2. are not subject to the provisions of subsections (a), (b), (c),
26 and (f) of this section;

27 3. shall be allocated as provided in subsection (d) of this
28 section and § 5-903 of the Natural Resources Article;

29 4. shall be made until the cumulative total appropriated
30 under subparagraphs (i) and (ii) of this paragraph is equal to the cumulative amount of any

1 appropriation or transfer from the special fund to the General Fund for fiscal years 2016,
2 2017, and 2018, less \$72,000,000; and

3 5. shall be reduced by the amount of any appropriation from
4 the General Fund to the special fund that:

5 A. exceeds the required appropriation under this paragraph;
6 and

7 B. is identified as an appropriation for reimbursement under
8 this paragraph.

9 ~~Chapter 397 of the Acts of 2011, as amended by Chapter 425 of the Acts of 2013,~~
10 ~~Chapter 464 of the Acts of 2014, Chapter 489 of the Acts of 2015, Chapter 23 of~~
11 ~~the Acts of 2017, Chapter 10 of the Acts of 2018, Chapter 16 of the Acts of 2019,~~
12 ~~and Chapter 538 of the Acts of 2020~~

13 ~~SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other~~
14 ~~revenue generated under § 19-214 of the Health General Article, as amended by this Act:~~

15 ~~(e) (1) For fiscal year 2015 and 2016, the Commission and the Maryland~~
16 ~~Department of Health shall adopt policies that will provide up to \$389,825,000 in special~~
17 ~~fund revenues from hospital assessment and remittance revenue.~~

18 ~~(2) For fiscal year 2017, the Governor shall reduce the budgeted Medicaid~~
19 ~~Deficit Assessment by \$25,000,000 over the assessment level for the prior year.~~

20 ~~(3) For fiscal year 2018, the budgeted Medicaid Deficit Assessment shall be~~
21 ~~\$364,825,000.~~

22 ~~(4) For fiscal year 2019, the budgeted Medicaid Deficit Assessment shall be~~
23 ~~\$334,825,000.~~

24 ~~(5) For fiscal year 2020, the budgeted Medicaid Deficit Assessment shall be~~
25 ~~\$309,825,000.~~

26 ~~(6) For fiscal year 2021 and each fiscal year thereafter, the budgeted~~
27 ~~Medicaid Deficit Assessment shall be [\$294,825,000] \$329,825,000.~~

28 ~~(7) To the extent that the Commission takes other actions that reduce~~
29 ~~Medicaid costs, those savings shall also be used to reduce the budgeted Medicaid Deficit~~
30 ~~Assessment.~~

31 ~~(8) To the maximum extent possible, the Commission and the Maryland~~
32 ~~Department of Health shall adopt policies that preserve the State's Medicare waiver.~~

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2021, the Governor may transfer to the General Fund \$30,000,000 from the reserve account established by the State to pay unemployment compensation benefits for State employees.

SECTION 3. AND BE IT FURTHER ENACTED, That, for fiscal year 2022, payments to providers with rates set by the Interagency Rates Committee under § 8-417 of the Education Article may not increase by more than 4% over the rates in effect on ~~December 31, 2020~~ **JANUARY 1, 2021**.

~~SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2022, the Governor may transfer to the Office of Controlled Substances Administration within the Maryland Department of Health \$500,000 of the fund balance in the State Board of Pharmacy Fund established under § 12-206 of the Health Occupations Article.~~

SECTION ~~5~~ **4**. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2022, the Governor may transfer to the Behavioral Health Administration within the Maryland Department of Health \$2,000,000 of the fund balance in the State Board of Professional Counselors and Therapists Fund established under § 17-206 of the Health Occupations Article.

SECTION ~~6~~ **5**. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2022, the Governor may transfer to the Behavioral Health Administration within the Maryland Department of Health ~~\$6,000,000~~ **\$3,000,000** of the fund balance in the Natalie M. LaPrade Medical Cannabis Commission Fund established under § 13-3303 of the Health Occupations Article.

~~SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law under § 2-606 of the Tax General Article:~~

~~(a) The Maryland Department of Health and other appropriate State agencies are authorized to temporarily charge expenditures related to the Coronavirus Disease 2019 (COVID-19) response that are eligible for reimbursement from the Federal Emergency Management Agency's Public Assistance process to the Local Reserve Account established to comply with § 2-606 of the Tax General Article.~~

~~(b) Once reimbursement is received from the Federal Emergency Management Agency's Public Assistance process, the revenue shall be used to offset the eligible expenditures authorized under subsection (a) of this section to reimburse the Local Reserve Account.~~

~~(c) Any charges against the Local Reserve Account that are not fully reimbursed under subsection (b) of this section shall be reimbursed by the General Fund at the Maryland General Assembly session following a determination by the Federal Emergency Management Agency to ensure the Local Reserve Account is fully reimbursed for the temporary charges made under subsection (a) of this section.~~

~~(d) This provision shall be in effect until June 30, 2022, or until the Federal Emergency Management Agency has made a final determination on all expenditures that are temporarily charged under subsection (a) of this section. On the effective date of this Act, the Department of Budget and Management may appropriate these funds through the budget amendment process, as needed.~~

SECTION ~~8~~ 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, due to public health precautions required by the Coronavirus Disease 2019 (COVID-19) pandemic, the Governor may print a reduced number of fiscal year 2022 budget books for distribution to the Maryland General Assembly and the Department of Legislative Services.

~~SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, if the Office of the Attorney General does not transfer \$10,000,000 from the Consumer Protection Recoveries to the General Fund on or before May 1, 2022, the Comptroller shall transfer \$10,000,000 from the Consumer Protection Recoveries to the General Fund.~~

SECTION ~~10~~ 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, a one-time education aid grant for a county for fiscal year 2022 authorized under § 5-219(f) of the Education Article, as enacted by Section 1 of this Act, is contingent on the county's appropriation of local funds to the county board of education operating budget for fiscal year 2022 exceeding the local appropriation for fiscal year 2021.

SECTION ~~11~~ 8. AND BE IT FURTHER ENACTED, That:

(a) Except for individuals whose retirement allowance is subject to a reduction as provided under § 22-406(c)(1)(iii) and (3) or § 23-407(c)(1)(iii) and (3) of the State Personnel and Pensions Article, the reduction of a retirement allowance under § 22-406 or § 23-407 of the State Personnel and Pensions Article does not apply to:

(1) an individual who was previously employed by the Maryland Department of Health, retired, and is rehired by the Maryland Department of Health for a period not to exceed 2 years to assist in the administration of federally funded grants related to the Coronavirus Disease 2019 (COVID-19) pandemic; and

(2) an individual who was previously employed by the Maryland Department of Labor, retired, and is rehired by the Maryland Department of Labor for a period not to exceed 2 years within the Division of Unemployment Insurance to assist with the administration of benefits related to the COVID-19 pandemic.

(b) (1) The provisions of subsection (a) of this section shall be construed to apply retroactively to January 1, 2020.

(2) The provisions of subsection (a) of this section shall terminate and be of no effect after December 31, 2021.

~~SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, employees in positions at Department of Public Safety and Correctional Services facilities that are closed effective June 30, 2021, shall be transferred to existing vacancies in comparable job classifications within other Department of Public Safety and Correctional Services facilities. These transfers shall be effective not later than July 1, 2021, and shall be made without any loss of status, compensation, or benefits.~~

SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2022, the Governor may transfer to the Behavioral Health Administration within the Maryland Department of Health \$700,000 of the fund balance in the State Board of Examiners for Psychologists Fund established under § 18-207 of the Health Occupations Article.

SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2021, the Governor may transfer to the General Fund \$5,000,000 from the Maryland Health Care Provider Rate Stabilization Fund established under § 19-802 of the Insurance Article.

SECTION 11. AND BE IT FURTHER ENACTED, That, on or before June 30, 2021, the \$235,000 identified in the fiscal year 2020 closeout audit as being improperly encumbered by Headquarters (R00A01) within the Maryland State Department of Education shall revert to the General Fund.

SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2022, the Governor may transfer to the General Fund \$1,000,000 from the Charlotte Hall Veterans Home Fund established under § 9-912.2 of the State Government Article.

SECTION 13. AND BE IT FURTHER ENACTED, That the unexpended appropriation for Statewide Expenses (F10A02.08) within the Department of Budget and Management, that was included in the fiscal year 2021 operating budget (Chapter 19 of the Acts of 2020) is reduced by \$1,784,036 in general funds.

SECTION 14. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Medicaid Behavioral Health Provider Reimbursement Program (M00Q01.10) within the Maryland Department of Health, that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by \$5,000,000 in general funds.

SECTION 15. AND BE IT FURTHER ENACTED, That the unexpended appropriation for Aid to Education, Nonpublic Placements Program (R00A02.07) within the Maryland State Department of Education, that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by \$7,500,000 in general funds.

SECTION 16. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, on or before October 1, 2021, the Maryland–National Capital Park and Planning Commission shall transfer to the General Fund \$5,000,000 from the balance of funds collected in Prince George’s County in accordance with § 18–304(b) of the Land Use Article.

(b) The amount of money transferred under this section:

(1) may not exceed the lesser of \$5,000,000 or the amount remaining from the balance of funds collected after all fiscal year 2022 debt service obligations are satisfied; and

(2) may not result in a projected deficit in the balance of funds collected.

~~SECTION 13.~~ 17. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.