

# SENATE BILL 192

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CF HB 152

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

Introduced and read first time: January 15, 2020

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2020**

3 FOR the purpose of repealing a requirement that the Comptroller publish, in a certain  
4 manner, certain notices regarding persons appearing to be the owners of abandoned  
5 property; requiring the Comptroller to establish and maintain a certain abandoned  
6 property database and publish notice of the database in a certain manner; expanding  
7 the authorized uses of certain funds; altering, for certain fiscal years, the total State  
8 operating fund per full-time equivalent student for certain community colleges that  
9 the Governor is required to request; altering, for certain fiscal years, the total State  
10 operating funds required to be distributed to certain community colleges;  
11 authorizing, rather than requiring, the Governor to include in certain budgets  
12 certain appropriations; altering, for certain fiscal years, the annual apportionment  
13 for each institution that qualifies for aid under the Joseph A. Sellinger Program;  
14 repealing a requirement that the Governor include certain appropriations in the  
15 budget each year; reducing the rate increase for certain service providers the  
16 Governor is required to include in a certain budget; altering the amount the  
17 Governor is authorized to appropriate to a certain fund in certain budgets; limiting  
18 the amount of a certain subsidy that a certain commission may receive each fiscal  
19 year; requiring that a certain subsidy for a certain program must be at least a certain  
20 amount each fiscal year; reducing the amount the State is required to appropriate in  
21 the State budget as a payment to a certain city for certain services; repealing a  
22 requirement that a certain appropriation to a certain city be increased each year by  
23 a certain amount; providing that for certain fiscal years a certain revenue estimate  
24 adjustment made by the Bureau of Revenue Estimates may not exceed certain  
25 amounts; authorizing the Governor to provide copies of certain budget books in print  
26 or electronic form; requiring that certain information be provided in a certain  
27 manner on the Department of Budget and Management's website; repealing a  
28 requirement that the Governor submit certain budget books and provide certain  
29 information in a certain manner; altering a requirement that for a certain fiscal year  
30 the Governor include in the budget bill a certain appropriation to the accumulation  
31 funds of the State Retirement and Pension System; repealing a requirement that if

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



certain revenues exceed a certain estimate the Comptroller distribute a certain amount to a certain fund to be used for certain purposes; repealing a requirement that money in a certain fund be used for a certain purpose; repealing a requirement that the State pay a certain amount for certain fiscal years to a certain account as repayment for a certain transfer; requiring the Comptroller to distribute a certain amount for certain fiscal years to a certain account; reducing for a certain fiscal year the total amount of film tax credit certificates that the Secretary of Commerce may issue; increasing the percentage of certain costs for which each county and Baltimore City are responsible for reimbursing the State; altering certain requirements that for certain fiscal years the Governor appropriate certain amounts from the General Fund to a certain special fund; providing, for certain fiscal years, the budgeted Medicaid Deficit Assessment; altering the fiscal year budget that the Governor is required to begin reducing the budgeted Medicaid Deficit Assessment by a certain amount; repealing a requirement that for certain fiscal years certain amounts be transferred between certain funds; providing, for a certain fiscal year, that payments to providers with rates set by a certain committee may not increase by more than a certain amount; authorizing the Governor to transfer certain amounts from certain funds; repealing provisions of law relating to the National Capital Strategic Economic Development Program; reducing for a certain fiscal year a certain appropriation; requiring that for certain fiscal years a certain distribution of revenue be used for a certain purpose; and generally relating to the financing of State and local government.

BY repealing

Article – Economic Development  
Section 4–513  
Annotated Code of Maryland  
(2018 Replacement Volume and 2019 Supplement)

BY repealing

Article – Housing and Community Development  
Section 6–701 through 6–710 and the subtitle “Subtitle 7. National Capital Strategic Economic Development Program”  
Annotated Code of Maryland  
(2019 Replacement Volume and 2019 Supplement)

BY repealing

Article – State Finance and Procurement  
Section 7–116 and 7–329(b–1)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law  
Section 17–311  
Annotated Code of Maryland  
(2013 Replacement Volume and 2019 Supplement)

- 1 BY repealing and reenacting, without amendments,  
2 Article – Education  
3 Section 5–219(a), 24–201, and 24–204(a)  
4 Annotated Code of Maryland  
5 (2018 Replacement Volume and 2019 Supplement)
- 6 BY repealing and reenacting, with amendments,  
7 Article – Education  
8 Section 5–219(g), 16–305(c)(1), 16–320(c), and 17–104(a)  
9 Annotated Code of Maryland  
10 (2018 Replacement Volume and 2019 Supplement)
- 11 BY repealing  
12 Article – Education  
13 Section 24–204(d)  
14 Annotated Code of Maryland  
15 (2018 Replacement Volume and 2019 Supplement)
- 16 BY repealing and reenacting, without amendments,  
17 Article – Health – General  
18 Section 7–307(a)(3), 16–201.3(a)(2), 16–201.4(a), and 19–2201(a) and (e)(1)  
19 Annotated Code of Maryland  
20 (2019 Replacement Volume)
- 21 BY repealing and reenacting, with amendments,  
22 Article – Health – General  
23 Section 7–307(d)(2), 16–201.3(d)(2), 16–201.4(b)(1), and 19–2201(e)(2)(iv)  
24 Annotated Code of Maryland  
25 (2019 Replacement Volume)
- 26 BY adding to  
27 Article – Health – General  
28 Section 19–2201(e)(2)(v)  
29 Annotated Code of Maryland  
30 (2019 Replacement Volume)
- 31 BY repealing and reenacting, without amendments,  
32 Article – Housing and Community Development  
33 Section 4–509(a)(1) and (4)  
34 Annotated Code of Maryland  
35 (2019 Replacement Volume and 2019 Supplement)
- 36 BY repealing and reenacting, with amendments,  
37 Article – Housing and Community Development  
38 Section 4–509(j)(3)  
39 Annotated Code of Maryland

(2019 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 14–106(d) and (e) and 31–107.2(a)  
Annotated Code of Maryland  
(2017 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 4–608, 6–104(e), 7–115, 7–311(j)(1), 7–329(c) and (d), and 7–330(g) and (j)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 7–329(b) and (e) and 7–330(b) through (f), (h), (i), and (k)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–606 and 10–730(f)  
Annotated Code of Maryland  
(2016 Replacement Volume and 2019 Supplement)

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

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, and Chapter 16 of the Acts of the General Assembly of 2019  
Section 16(c)

BY repealing and reenacting, with amendments,  
Chapter 364 of the Acts of the General Assembly of 2017  
Section 3

BY repealing and reenacting, with amendments,  
Chapter 365 of the Acts of the General Assembly of 2017

Section 3

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 4–513 of Article – Economic Development of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 6–701 through 6–710 and the subtitle “Subtitle 7. National Capital Strategic Economic Development Program” of Article – Housing and Community Development of the Annotated Code of Maryland be repealed.

SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 7–116 of Article – State Finance and Procurement of the Annotated Code of Maryland be repealed.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article – Commercial Law**

17–311.

[(a) (1) Within 365 days from the filing of the report required by § 17–310 of this subtitle, the Administrator shall cause notice to be published in a newspaper of general circulation in the county in the State within which is located the last known address of any person to be named in the notice.

(2) If an address is not listed or if the address is outside the State, the notice shall be published in the county within which the person who held the abandoned property has the principal place of business in this State.

(b) The published notice shall be entitled “Notice of Names of Persons Appearing to Be Owners of Abandoned Property” and shall contain:

(1) The names in alphabetical order and last known addresses, if any, of persons listed in the report and entitled to notice in the county specified in this section;

(2) A statement that information concerning the amount or description of the property and the name and address of the person who held the property may be obtained by any person who possesses an interest in the property, by addressing an inquiry to the Administrator; and

(3) A statement that a proof of claim may be presented by the owner to the Administrator.

(c) The Administrator is not required to publish in the notice any item valued at less than \$100 unless the Administrator considers the publication to be in the public interest.]

(A) IN THIS SECTION, "ABANDONED PROPERTY DATABASE" MEANS AN ELECTRONIC DATABASE CONTAINING THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY.

(B) (1) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE MAINTAINED, AN ABANDONED PROPERTY DATABASE.

(2) WITHIN 365 DAYS AFTER THE FILING OF THE REPORT REQUIRED BY § 17-310 OF THIS SUBTITLE, THE ADMINISTRATOR SHALL ADD TO THE ABANDONED PROPERTY DATABASE THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS LISTED IN THE REPORT.

(3) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE MAINTAINED, AN INTERNET WEBSITE THAT:

(I) PROVIDES REASONABLE MEANS BY WHICH A PERSON MAY SEARCH THE ABANDONED PROPERTY DATABASE REQUIRED BY THIS SUBSECTION;

(II) CONTAINS A STATEMENT THAT INFORMATION CONCERNING THE AMOUNT OR DESCRIPTION OF THE PROPERTY AND THE NAME AND ADDRESS OF THE PERSON WHO HELD THE PROPERTY MAY BE OBTAINED BY ANY PERSON WHO POSSESSES AN INTEREST IN THE PROPERTY, BY ADDRESSING AN INQUIRY TO THE ADMINISTRATOR;

(III) CONTAINS A STATEMENT THAT A PROOF OF CLAIM MAY BE PRESENTED BY THE OWNER TO THE ADMINISTRATOR; AND

(IV) INCLUDES A LINK TO AN ABANDONED PROPERTY CLAIM FORM.

(C) (1) THE ADMINISTRATOR SHALL PUBLISH NOTICE ON THE INTERNET WEBSITE REQUIRED BY SUBSECTION (B)(3) OF THIS SECTION.

(2) THE NOTICE SHALL:

(I) BE PUBLISHED AT LEAST ONCE EACH CALENDAR QUARTER IN ONE OR MORE NEWSPAPERS OF GENERAL CIRCULATION IN EACH COUNTY OF THE STATE; AND

(II) CONTAIN:

1. A STATEMENT THAT THE ADMINISTRATOR

1 MAINTAINS RECORDS OF THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF  
2 PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY;

3                               **2. A STATEMENT THAT ANY PERSON MAY SEARCH THE**  
4 **ADMINISTRATOR’S ABANDONED PROPERTY RECORDS THROUGH THE**  
5 **ADMINISTRATOR’S INTERNET WEBSITE;**

6                               **3. THE ADDRESS OF THE INTERNET WEBSITE; AND**

7                               **4. A PHONE NUMBER THAT A PERSON MAY CALL FOR**  
8 **ASSISTANCE IF THE PERSON DOES NOT HAVE INTERNET ACCESS.**

9           (d) Within 120 days from the receipt of the report required by § 17–310 of this  
10 subtitle, the Administrator shall mail a notice to each person who has an address listed in  
11 the report who appears entitled to property valued at \$100 or more and presumed  
12 abandoned under this subtitle.

13           (e) The mailed notice shall contain:

14                   (1) A statement that, according to a report filed with the Administrator,  
15 property is being held to which the addressee appears entitled;

16                   (2) The name and address of the person who held the property and any  
17 necessary information regarding any change of the name or address of the holder; and

18                   (3) A statement that a proof of claim may be presented by the owner to the  
19 Administrator.

## 20   **Article – Education**

21 5–219.

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

23           (g) The Fund may be used only to assist in providing adequate funding for [early]:

24                   **(1) EARLY** childhood education and primary and secondary education  
25 based on the recommendations of the Commission on Innovation and Excellence in  
26 Education, including revised education funding formulas; **AND**

27                   **(2) MARYLAND PREKINDERGARTEN EXPANSION GRANTS.**

28 16–305.

29           (c)    (1)    (i) Except as provided in subparagraphs (iii), (iv), [and] (v), **(VI),**

1 **AND (VII)** of this paragraph, the total State operating fund per full-time equivalent student  
2 to the community colleges for each fiscal year as requested by the Governor shall be:

3                   1.       In fiscal year 2009, not less than an amount equal to  
4 26.25% of the State's General Fund appropriation per full-time equivalent student to the  
5 4-year public institutions of higher education in the State as designated by the Commission  
6 for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this  
7 article in the previous fiscal year;

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

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

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

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

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

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

38                   8.       In fiscal year 2018, not less than an amount equal to 21.0%  
39 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; **AND**

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[;

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 noncapital 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;

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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; and
15. Wor-Wic 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; and
15. Wor-Wic Community College .....\$7,108,241.

**(VI) IN FISCAL YEAR 2021, THE TOTAL STATE OPERATING FUNDS FOR THE COMMUNITY COLLEGES SHALL BE \$267,916,591 TO BE DISTRIBUTED AS FOLLOWS:**

1. ALLEGANY COLLEGE OF MARYLAND.....\$5,603,130;
2. ANNE ARUNDEL COMMUNITY COLLEGE.....\$31,690,223;
3. COMMUNITY COLLEGE OF BALTIMORE COUNTY.....\$45,623,299;
4. CARROLL COMMUNITY COLLEGE.....\$8,195,322;
5. CECIL COLLEGE.....\$5,755,092;
6. COLLEGE OF SOUTHERN MARYLAND.....\$15,088,436;
7. CHESAPEAKE COLLEGE .....\$6,589,636;
8. FREDERICK COMMUNITY COLLEGE .....\$12,042,368;
9. GARRETT COLLEGE .....\$3,027,853;
10. HAGERSTOWN COMMUNITY COLLEGE .....\$9,316,385;
11. HARFORD COMMUNITY COLLEGE .....\$12,990,121;
12. HOWARD COMMUNITY COLLEGE.....\$21,459,934;

13. MONTGOMERY COLLEGE .....\$48,388,449;

14. PRINCE GEORGE'S COMMUNITY  
COLLEGE.....\$33,586,778; AND

15. WOR-WIC COMMUNITY COLLEGE .....\$8,559,565.

(VII) BEGINNING IN FISCAL YEAR 2022 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.

16-320.

(c) (1) In fiscal year 2019 and in each fiscal year thereafter, the Governor  
[shall] MAY annually appropriate in the operating budget OR CAPITAL BUDGET of the  
Commission an amount equal to 5% of the appropriation to the Community College  
Construction Grant Program in the same fiscal year.

(2) [The appropriation required] IF AN APPROPRIATION IS PROPOSED  
BY THE GOVERNOR under paragraph (1) of this subsection, THE APPROPRIATION shall  
be in addition to and may not supplant the amount appropriated to the Community College  
Construction Grant Program in the State budget.

17-104.

(a) (1) Except as provided in paragraphs (2), (3), [and] (4), (5), AND (6) 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 2021 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

1 Education Commission.

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

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

9 (5) IN FISCAL YEAR 2021, THE TOTAL AMOUNT OF AID DUE TO ALL  
10 INSTITUTIONS SHALL BE \$59,024,905 TO BE DISTRIBUTED AS FOLLOWS:

11 (I) CAPITOL TECHNOLOGY UNIVERSITY.....\$670,957;  
12 (II) GOUCHER COLLEGE .....\$2,466,084;  
13 (III) HOOD COLLEGE .....\$1,834,286;  
14 (IV) JOHNS HOPKINS UNIVERSITY .....\$29,019,524;  
15 (V) LOYOLA UNIVERSITY MARYLAND.....\$6,534,728;  
16 (VI) MARYLAND INSTITUTE COLLEGE OF ART .....\$2,823,062;  
17 (VII) MCDANIEL COLLEGE .....\$2,771,043;  
18 (VIII) MOUNT ST. MARY'S UNIVERSITY .....\$2,676,349;  
19 (IX) NOTRE DAME OF MARYLAND UNIVERSITY.....\$1,842,589;  
20 (X) ST. JOHN'S COLLEGE .....\$843,131;  
21 (XI) STEVENSON UNIVERSITY .....\$4,358,920;  
22 (XII) WASHINGTON ADVENTIST UNIVERSITY .....\$1,171,808; AND  
23 (XIII) WASHINGTON COLLEGE .....\$2,012,424.

24 (6) BEGINNING IN FISCAL YEAR 2022 AND EACH FISCAL YEAR  
25 THEREAFTER, THE TOTAL AMOUNT OF AID PROVIDED TO EACH ELIGIBLE  
26 INSTITUTION UNDER THIS SUBTITLE SHALL BE THE AMOUNT OF AID PROVIDED IN  
27 THE CURRENT FISCAL YEAR INCREASED BY ONE PERCENTAGE POINT LESS THAN

1 THE PERCENTAGE BY WHICH THE PROJECTED TOTAL GENERAL FUND REVENUES  
2 FOR THE UPCOMING FISCAL YEAR EXCEED THE REVISED ESTIMATE OF TOTAL  
3 GENERAL FUND REVENUES FOR THE CURRENT FISCAL YEAR, AS CONTAINED IN THE  
4 DECEMBER REPORT OF ESTIMATED STATE REVENUES SUBMITTED BY THE BOARD  
5 OF REVENUE ESTIMATES TO THE GOVERNOR UNDER § 6-106 OF THE STATE  
6 FINANCE AND PROCUREMENT ARTICLE.

7 24-201.

8 There is a Maryland Public Broadcasting Commission.

9 24-204.

10 (a) (1) The Commission annually shall prepare a budget request to provide  
11 funds to perform its duties under this subtitle.

12 (2) The Commission may receive and spend any grant or gift budgeted or  
13 provided for it.

14 (3) (i) The Commission is encouraged to make use of its facilities,  
15 equipment, and other resources to provide services that may generate additional income.  
16 Any income earned in that manner shall be considered special funds for use by the  
17 Commission.

18 (ii) Unexpended funds may be carried forward and expended in any  
19 subsequent fiscal year, subject to the approval of the Board of Public Works.

20 [(d) (1) Beginning in fiscal year 2019, and for each fiscal year thereafter, the  
21 Governor shall include in the annual budget bill a General Fund appropriation to the  
22 Commission in an amount not less than the General Fund appropriation for the current  
23 fiscal year as approved in the State budget as enacted by the General Assembly and  
24 increased by the percentage by which the projected total General Fund revenues for the  
25 upcoming fiscal year exceed the revised estimate of total General Fund revenues for the  
26 current fiscal year, as contained in the December report of estimated State revenues  
27 submitted by the Board of Revenue Estimates to the Governor under § 6-106 of the State  
28 Finance and Procurement Article.

29 (2) (i) In addition to the appropriation required under paragraph (1) of  
30 this subsection, if the actual amount of special funds in special fund code R15304  
31 Community Services Grant and CPB Grant in budget code R15P00 Maryland Public  
32 Broadcasting Commission received by the Commission in the second previous fiscal year is  
33 lower than the amount that was budgeted for the Commission as approved in the State  
34 budget as enacted by the General Assembly for the second previous fiscal year, the  
35 Governor shall include in the annual budget bill, for the upcoming fiscal year, a General  
36 Fund appropriation to the Commission in an amount not less than the difference between  
37 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**

7–307.

(a) (3) “Community provider” means a community–based agency or program funded by the Administration to serve individuals with developmental disabilities.

(d) (2) The Governor’s proposed budget for fiscal year 2021 shall include a [4%] 2% rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2020.

16–201.3.

(a) (2) “Community provider” means a community–based agency or program funded by the Behavioral Health Administration or the Medical Care Programs Administration to serve individuals with mental disorders, substance–related disorders, or a combination of these disorders.

(d) (2) The Governor’s proposed budget for fiscal year 2021 shall include a [4%] 2% rate increase for community providers over the funding provided in the legislative appropriation for the immediately preceding fiscal year for each of the following:

(i) Object 08 Contractual Services in Program M00Q01.10 Medicaid Behavioral Health Provider Reimbursement — Medical Care Programs Administration;

(ii) Object 08 Contractual Services in Program M00L01.02 Community Services — Behavioral Health Administration; and

(iii) Object 08 Contractual Services in Program M00L01.03 Community Services for Medicaid State Fund Recipients — Behavioral Health Administration.

16–201.4.

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

(2) “Provider” means a provider of:

(i) Nursing home services;

(ii) Medical day care services;



- (iii) Private duty nursing services;
- (iv) Personal care services;
- (v) Home— and community—based services; and
- (vi) Services provided through the Community First Choice program.

(3) “Rate” means the reimbursement rate paid by the Department to providers of nursing home, medical day care, private duty nursing, personal care, and home— and community—based services and services provided through the Community First Choice program from the State General Fund, Maryland Medical Assistance Program funds, other State or federal funds, or a combination of these funds.

(b) (1) The Governor’s proposed budget for fiscal year 2021 shall include a [4%] **2%** rate increase for providers over the funding provided in the legislative appropriation for the immediately preceding fiscal year in Program M00Q01.03 Medical Care Provider Reimbursements — Medical Care Programs Administration and Program M00Q01.07 Maryland Children’s Health Program — Medical Care Programs Administration.

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,] **AND 2020**, 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 2021 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 NO 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 – Housing and Community Development

4–509.

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

(4) “Fund” means the Seed Community Development Anchor Institution Fund.

(j) (3) For fiscal year 2021 and each fiscal year thereafter, the Governor [shall] **MAY** include in the annual budget bill or the capital budget bill an appropriation of [\$10,000,000] **\$5,000,000** for the Fund.

#### Article – Insurance

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 2020**.

**(III) FOR FISCAL YEAR 2021 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] 2020**, **MAY NOT EXCEED** \$14,000,000; [and]

(3) **FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER,**

1 **MAY NOT BE LESS THAN \$14,000,000; AND**

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

4 31–107.2.

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

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

11 [(ii) For each State fiscal year thereafter, the appropriation shall be  
12 no less than \$35,000,000.]

13 **(II) FOR STATE FISCAL YEAR 2021 AND EACH FISCAL YEAR**  
14 **THEREAFTER, THE APPROPRIATION SHALL BE \$32,000,000.**

15 **Article – State Finance and Procurement**

16 4–608.

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

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

24 6–104.

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

28 (2) (i) For each fiscal year, the Bureau shall calculate the 10–year  
29 average share of General Fund revenues represented by nonwithholding income tax  
30 revenues.

31 (ii) 1. For each fiscal year, the 10–year average shall use the 10  
32 most recently completed fiscal years for which data are available when the estimate is

1 prepared in the September before the beginning of the fiscal year.

2                               2.       The same 10–year average shall be used in all subsequent  
3 revisions to the revenue estimate for that fiscal year.

4                               (3)   (i)       Subject to subparagraph (ii) of this paragraph, for each fiscal  
5 year, if the Bureau’s estimate of the share of General Fund revenues from nonwithholding  
6 income tax revenues is above the 10–year average share, the Bureau shall adjust the  
7 revenue estimate by reducing General Fund revenues from nonwithholding income tax  
8 revenues by an amount sufficient to align the estimated share of General Fund revenues  
9 from nonwithholding income tax revenues with the 10–year average share of General Fund  
10 revenues from nonwithholding income taxes.

11                               (ii)   The adjustment made under subparagraph (i) of this paragraph  
12 may not exceed the following percentage of total General Fund revenues **OR DOLLAR**  
13 **VALUE IN A SPECIFIED FISCAL YEAR:**

14                               1.       0.225% for fiscal year 2020;

15                               2.       [1%] **\$60,000,000** for fiscal year 2021; [and]

16                               3.       [2%] **\$80,000,000** for fiscal year 2022 [and each fiscal  
17 year thereafter];

18                               4.       **\$100,000,000 FOR FISCAL YEAR 2023;**

19                               5.       **\$120,000,000 FOR FISCAL YEAR 2024;**

20                               6.       **\$140,000,000 FOR FISCAL YEAR 2025; AND**

21                               7.       **2% FOR FISCAL YEAR 2026 AND EACH FISCAL YEAR**  
22 **THEREAFTER.**

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

26 7–115.

27                               (a)   On submission of the budget bill to the presiding officers of the General  
28 Assembly, the Governor shall provide the supporting material specified in this section.

29                               (b)   **(1)**   The Governor shall provide budget books that include the information  
30 required in this section.

31                               **(2)**   **ANY COPIES OF BUDGET BOOKS REQUIRED BY THIS ARTICLE MAY,**

1 AT THE DISCRETION OF THE GOVERNOR, BE PROVIDED IN EITHER PRINT OR  
2 ELECTRONIC FORMAT.

3 (c) The budget books for a fiscal year shall:

4 (1) (i) state each source of State revenues for the year, from which the  
5 proposed appropriations are to be paid; and

6 (ii) state the amount that the Governor estimates will be collected  
7 from each source;

8 (2) contain a summary of the annuity bond accounts of the State as of the  
9 end of the last full fiscal year; and

10 (3) (i) include a copy of the statewide cost allocation plan filed with the  
11 federal government for federal reimbursement of the costs of indirect State services that  
12 benefit federally funded programs; and

13 (ii) list, by unit of the State government, the amount of  
14 reimbursement received under the plan during the last full fiscal year.

15 (d) The budget books shall contain personnel detail in a section that, by unit of  
16 the State government, sets forth, for each program or purpose of that unit:

17 (1) the total number of officers and employees and the number in each job  
18 classification:

19 (i) authorized in the State budget for the last full fiscal year and the  
20 current fiscal year; and

21 (ii) requested for the next fiscal year;

22 (2) the total amount for salaries of officers and employees and the amount  
23 for salaries of each job classification:

24 (i) spent during the last full fiscal year;

25 (ii) authorized in the State budget for the current fiscal year; and

26 (iii) requested for the next fiscal year; and

27 (3) an itemized statement of the expenditures for contractual services,  
28 supplies and materials, equipment, land and structures, fixed charges, and other operating  
29 expenses:

30 (i) made in the last full fiscal year;

(ii) authorized in the State budget for the current fiscal year; and

(iii) requested for the next fiscal year.

(e) The budget books shall include the StateStat or managing for results agency strategic plan required under this article, but shall be limited to a description of the agency's mission, goals, objectives, and performance measures.

(f) Whenever a proposed budget exceeds the recommendations of the Spending Affordability Committee, the budget books shall:

(1) indicate the degree to which the proposed budget and recommendations differ; and

(2) set forth the Governor's reasons for exceeding the recommendations.

(g) The budget books shall include supporting data and the results of the calculations required under § 5-202(l) of the Education Article.

**(H) THE INFORMATION REQUIRED UNDER THIS SECTION SHALL BE PROVIDED ON THE WEBSITE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT SIMULTANEOUSLY WITH THE SUBMISSION OF THE ANNUAL STATE BUDGET.**

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; [and]

(iii) for fiscal year 2021 [and each fiscal year thereafter], **TO THE**

1 **ACCOUNT EQUAL TO THE AMOUNT BY WHICH THE UNAPPROPRIATED GENERAL**  
2 **FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS**  
3 **\$10,000,000; AND**

4 **(IV) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR**  
5 **THEREAFTER:**

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

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

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

18 7–329.

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

24 [(b–1) At the end of fiscal year 2020 only, if the amount of nonwithholding  
25 income tax revenues that exceeds the capped estimate determined under §6–104(e) of this  
26 article exceeds the amount necessary to close the gap in revenues under subsection (b) of  
27 this section, the State Comptroller shall distribute the remainder to the Fiscal  
28 Responsibility Fund established under § 7–330 of this subtitle for the purpose of providing  
29 a cost-of-living adjustment of up to 2% beginning July 1, 2020, for permanent employees  
30 in the Executive Branch of State government who are in a bargaining unit that is  
31 represented by one of the following exclusive representatives:

32 (1) the American Federation of State, County and Municipal Employees,  
33 AFL–CIO, excluding a bargaining unit represented by the American Federation of State,  
34 County and Municipal Employees, AFL–CIO Local 1859;

35 (2) AFT Healthcare–Maryland, AFT, AFL–CIO Local 5197; or

36 (3) the Maryland Professional Employees Council/AFT/AFL–CIO Local



1 6197.]

2 (c) [Except as provided in subsection (b–1) of this section, if] **IF** the amount of  
3 nonwithholding income tax revenues that exceeds the capped estimate determined under §  
4 6–104(e) of this article exceeds the amount necessary to close the gap in revenues under  
5 subsection (b) of this section, and if the balance of the Revenue Stabilization Account under  
6 § 7–311 of this subtitle is less than 6% of the estimated General Fund revenues for that  
7 fiscal year, the State Comptroller shall distribute to the Revenue Stabilization Account the  
8 lesser of:

9 (1) the remaining balance of nonwithholding income tax revenues in excess  
10 of the capped estimate determined under § 6–104(e) of this article; or

11 (2) the amount required for the Revenue Stabilization Account balance to  
12 equal 6% of the estimated General Fund revenues for that fiscal year.

13 (d) [Except as provided in subsection (b–1) of this section, if] **IF** the amount of  
14 nonwithholding income tax revenues that exceeds the capped estimate determined under §  
15 6–104(e) of this article exceeds the amount the State Comptroller is required to distribute  
16 to the Revenue Stabilization Account under subsection (c) of this section, the State  
17 Comptroller shall distribute:

18 (1) subject to subsection (e) of this section, 50% of the remaining amount to  
19 the Revenue Stabilization Account; and

20 (2) the remainder to the Fiscal Responsibility Fund established under §  
21 7–330 of this subtitle.

22 (e) The distribution to the Revenue Stabilization Account under subsection (d)(1)  
23 of this section does not apply if the amount in the Revenue Stabilization Account exceeds  
24 10% of General Fund revenues.

25 7–330.

26 (b) There is a Fiscal Responsibility Fund.

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

30 (d) The State Comptroller shall administer the Fund.

31 (e) (1) The Fund is a special, nonlapsing fund that is not subject to §  
32 7–302 of this subtitle.

33 (2) The State Treasurer shall hold the Fund separately, and the State  
34 Comptroller shall account for the Fund.

(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] **THE** Fund may be used only to provide pay-as-you-go capital funds for:

[(i)] **(1)** public school construction and public school capital improvement projects, in accordance with Title 5, Subtitle 3 of the Education Article;

[(ii)] **(2)** capital projects at public community colleges; and

[(iii)] **(3)** capital projects at four-year public institutions of higher education.

[(2) For fiscal year 2021 only, money in the Fund shall be used to provide a cost-of-living adjustment of up to 2% beginning July 1, 2020, 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:

(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; or

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

(h) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund shall be credited to the General Fund of the State.

(i) Expenditures from the Fund may be made only in accordance with the State budget.

(j) (1) [Except as provided in paragraph (3) of this subsection, the] **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.

(2) Money expended from the Fund for pay-as-you-go capital projects is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for capital projects, including those funded with pay-as-you-go funds and

the proceeds from the sale of general obligation bonds.

[(3) The Governor shall include in the budget bill submitted at the 2021 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 a cost-of-living adjustment of up to 2% beginning July 1, 2020, 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:

(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; or

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

(k) At the end of a fiscal year, the unspent balance of each appropriation that was made for that fiscal year from the Fund reverts to the Fund.

### Article – Tax – General

2-606.

(a) After making the distributions required under §§ 2-604, 2-605, and 2-605.1 of this subtitle, from the remaining income tax revenue from individuals, the Comptroller shall distribute to an unallocated individual revenue account the income tax revenue:

(1) with respect to which an income tax return is not filed; and

(2) that is attributable to:

(i) income tax withheld from salary, wages, or other compensation for personal services under Title 10 of this article; or

(ii) estimated income tax payments by individuals.

(b) (1) In June of each year, from current collections, the Comptroller shall reserve an amount of unallocated revenue that the Comptroller estimates will be claimed on returns and refunded to taxpayers within 3 years of the date the income tax return was due to be filed, and distribute to each county, municipal corporation, and special taxing district a pro rata share of the balance of the unallocated individual income tax revenue.

(2) The Comptroller shall adjust the amount distributed under paragraph (1) of this subsection to a county, municipal corporation, or special taxing district to allow for the proportionate part of tax claim payments for a prior calendar year made after a

1 distribution is made to the county, municipal corporation, or special taxing district for that  
2 year.

3 (c) (1) To compute the pro rata share for a county, the Comptroller shall:

4 (i) compute the amount equal to the product of multiplying the  
5 unallocated individual income tax revenue by a fraction:

6 1. the numerator of which is the income tax for the county  
7 collected for a calendar year; and

8 2. the denominator of which is the total income tax from  
9 individuals collected for that year; and

10 (ii) reduce the amount computed under item (i) of this paragraph by  
11 the pro rata share computed under paragraph (2) of this subsection for municipal  
12 corporations and special taxing districts that are located in the county.

13 (2) To compute the pro rata share for a municipal corporation or special  
14 taxing district, the Comptroller shall compute the amount equal to the product of  
15 multiplying the pro rata share for a calendar year for the county where the municipal  
16 corporation or district is located by a fraction:

17 (i) the numerator of which is the amount distributed under § 2–607  
18 of this subtitle to that municipal corporation or special taxing district for that year; and

19 (ii) the denominator of which is the total income tax for that county  
20 collected for that year.

21 (d) On or before June 30, 2009, the Comptroller shall distribute \$366,778,631  
22 from the Local Reserve Account established to comply with this section to the General Fund  
23 of the State.

24 (e) On or before June 30, 2010, the Comptroller shall distribute \$350,000,000  
25 from the Local Reserve Account established to comply with this section to the Education  
26 Trust Fund established under § 9–1A–30 of the State Government Article.

27 (f) [(1)] On or before June 30, 2011, the Comptroller shall distribute  
28 \$200,000,000 from the Local Reserve Account established to comply with this section to the  
29 General Fund of the State for use in funding the Maryland Medicaid Program for fiscal  
30 year 2011.

31 [(2)] In each of fiscal years 2021 through 2026, the State shall pay to the  
32 Local Reserve Account \$33,333,333 to repay the \$200,000,000 transfer to the General Fund  
33 authorized under paragraph (1) of this subsection.]

34 (g) (1) On or before June 30, 2013, the Comptroller shall distribute

\$15,379,979 from the Local Reserve Account established to comply with this section to a special fund established in the Department of Transportation for the purpose of providing transportation grants to municipalities.

(2) The grants authorized under this subsection shall be allocated to eligible municipalities as provided in § 8–405 of the Transportation Article.

(h) For fiscal year 2017 and each fiscal year thereafter, in addition to the amounts distributed under subsection (b) of this section, the Comptroller shall distribute \$10,000,000 of the remaining income tax revenue from individuals to the Local Reserve Account established to comply with this section.

**(I) FOR FISCAL YEARS 2021 THROUGH 2040, IN ADDITION TO THE AMOUNTS DISTRIBUTED UNDER SUBSECTIONS (B) AND (H) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE \$10,000,000 OF THE REMAINING INCOME TAX REVENUE FROM INDIVIDUALS TO THE LOCAL RESERVE ACCOUNT ESTABLISHED TO COMPLY WITH THIS SECTION.**

10–730.

(f) (1) Except as provided in paragraph (2) of this subsection, the Secretary may not issue tax credit certificates for credit amounts in the aggregate totaling more than:

(i) for fiscal year 2014, \$25,000,000;

(ii) for fiscal year 2015, \$7,500,000;

(iii) for fiscal year 2016, \$7,500,000;

(iv) for fiscal year 2019, \$8,000,000;

(v) for fiscal year 2020, \$11,000,000;

(vi) for fiscal year 2021, [~~\$14,000,000~~] **\$10,000,000**;

(vii) for fiscal year 2022, \$17,000,000; and

(viii) for fiscal year 2023 and each fiscal year thereafter, \$20,000,000.

(2) If the aggregate credit amounts under the tax credit certificates issued by the Secretary total less than the maximum provided under paragraph (1) of this subsection in any fiscal year, any excess amount may be carried forward and issued under tax credit certificates in a subsequent fiscal year.

(3) The Secretary may not issue tax credit certificates for credit amounts

totaling more than \$10,000,000 in the aggregate for a single film production activity.

(4) (i) For fiscal year 2019 and each fiscal year thereafter, the Secretary shall make 10% of the credit amount authorized under paragraph (1) of this subsection available for Maryland small or independent film entities.

(ii) If the total amount of credits applied for by Maryland small or independent film entities is less than the amount made available under subparagraph (i) of this paragraph, the Secretary shall make available the unused amount of credits for use by qualified film production entities.

### 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 (2) 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%]~~ **60%** of the costs of real property valuation;

(ii) ~~[50%]~~ **60%** of the costs of business personal property valuation;

and

(iii) ~~[50%]~~ **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.

(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.

(c) 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.

13–209.

(g) (2) (i) The Governor shall include in each of the annual budget bills for fiscal years [2020, 2021, and] **2021, 2022, AND 2023** a General Fund appropriation to the special fund in the amount of \$12,500,000.

(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) The Governor shall include in each of the annual budget bills for fiscal year 2019 [through fiscal year 2024] **AND FISCAL YEARS 2021 THROUGH 2025** a General Fund appropriation to the special fund in the amount of \$6,000,000 and for fiscal year [2025] **2026** 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.

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

1. represent reimbursement for 44.4% 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; 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;

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

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

(4) (i) Subject to subparagraph (ii) of this paragraph, the Governor shall appropriate from the General Fund to the special fund [an amount equal to] **\$152,165,700, WHICH EQUALS** the cumulative amount of the appropriations or transfers from the special fund to the General Fund for fiscal years 2016, 2017, and 2018, less \$72,000,000.

(ii) The Governor shall appropriate at least:

1. [one-third of the amount required under subparagraph (i) of this paragraph] **\$25,360,950** on or before June 30, 2021;

2. [two-thirds of the amount required under subparagraph



(i) of this paragraph] **AN ADDITIONAL \$50,721,900** on or before June 30, 2025; [and]

3. [the total amount required under subparagraph (i) of this paragraph] **AN ADDITIONAL \$50,721,900** on or before June 30, 2029; AND

4. **AN ADDITIONAL \$25,360,950 ON OR BEFORE JUNE 30, 2030.**

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

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

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;

4. shall be made until the cumulative total appropriated under subparagraphs (i) and (ii) of this paragraph is equal to the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal years 2016, 2017, and 2018, less \$72,000,000; and

5. 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.

**Chapter 397 of the Acts of 2011, as amended by Chapter 425 of the Acts of 2013, Chapter 464 of the Acts of 2014, Chapter 489 of the Acts of 2015, Chapter 23 of the Acts of 2017, Chapter 10 of the Acts of 2018, and Chapter 16 of the Acts of 2019**

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

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

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

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

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

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

**(6) FOR FISCAL YEAR 2021, THE BUDGETED MEDICAID DEFICIT ASSESSMENT SHALL BE \$294,825,000.**

**(7) FOR FISCAL YEAR 2022, THE BUDGETED MEDICAID DEFICIT ASSESSMENT SHALL BE \$259,825,000.**

**[(6)] (8)** Beginning with the state budget submission for fiscal year **[2021] 2023**, the Governor shall reduce the budgeted Medicaid Deficit Assessment annually by \$25,000,000 over the assessment level for the prior fiscal year.

**[(7)] (9)** To the extent that the Commission takes other actions that reduce Medicaid costs, those savings shall also be used to reduce the budgeted Medicaid Deficit Assessment.

**[(8)] (10)** To the maximum extent possible, the Commission and the Maryland Department of Health shall adopt policies that preserve the State's Medicare waiver.

#### **Chapter 364 of the Acts of 2017**

SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal years 2018, 2019, AND 2020, **[2021, and 2022,]** in each year, \$1,500,000 shall be transferred from the Strategic Energy Investment Fund established under § 9–20B–05 of the State Government Article to the Maryland Energy Innovation Fund established under § 10–835 of the Economic Development Article, as enacted by Section 2 of this Act.

#### **Chapter 365 of the Acts of 2017**

SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal years 2018, 2019, AND 2020, **[2021, and 2022,]** in each year, \$1,500,000 shall be transferred from the Strategic Energy Investment Fund established under § 9–20B–05 of the State Government Article to the Maryland Energy Innovation Fund established under § 10–835 of the Economic Development Article, as enacted by Section 2 of this Act.

1 SECTION 5. AND BE IT FURTHER ENACTED, That, for fiscal year 2021,  
2 payments to providers with rates set by the Interagency Rates Committee under § 8–417  
3 of the Education Article may not increase by more than 2% over the rates in effect on June  
4 30, 2020.

5 SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other  
6 provision of law, on or before June 30, 2021, the Governor may transfer to the Office of the  
7 Secretary in the Maryland Department of Health \$199,517 of the fund balance in the Board  
8 of Physicians Fund established under § 14–207 of the Health Occupations Article.

9 SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other  
10 provision of law, for fiscal year 2021 only, \$400,000 from the balance in the Board of  
11 Physicians Fund under § 14–207 of the Health Occupations Article may be used for the  
12 Loan Assistance Repayment Program for Physicians and Physician Assistants  
13 administered by the Maryland Higher Education Commission.

14 SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding any other  
15 provision of law, the fiscal year 2021 appropriation for the Revenue Stabilization Account  
16 established under § 7–311 of the State Finance and Procurement Article is reduced by  
17 \$284,439,149.

18 SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other  
19 provision of law, for fiscal years 2021 through 2024, \$5,000,000 of the distribution to  
20 Baltimore City under § 8–403 of the Transportation Article shall instead be distributed to  
21 the Maryland Department of Transportation to support capital improvements for the  
22 Howard Street Tunnel.

23 SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other  
24 provision of law, on or before June 30, 2021, the Governor may transfer \$43,860,950 of the  
25 balance designated for Program Open Space Repayment in the Dedicated Purpose Account  
26 to the General Fund.

27 SECTION 11. AND BE IT FURTHER ENACTED, That, notwithstanding any other  
28 provision of law, on or before June 30, 2020, the Governor may revert to the General Fund  
29 from the Dedicated Purpose Account:

30 (1) \$50,000,000 of funding for the State Retirement and Pension System  
31 reinvestment contributions; and

32 (2) \$12,000,000 of funding for the Washington Metropolitan Area Transit  
33 Authority's capital program.

34 SECTION 12. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 June 1, 2020.