

HOUSE BILL 465

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2003 Regular Session
(3r1531)

ENROLLED BILL

-- Health and Government Operations/Education, Health, and Environmental Affairs --

Introduced by **Delegate Marriott (By Request - Baltimore City Administration)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER 300

1 AN ACT concerning

2 ~~Alcohol and Drug Abuse Administration~~ Baltimore City Health Department -
3 Designation of Nonprofit and Quasi-Governmental Entities by Local Health
4 Departments - Alcohol and Drug Abuse Administration Funds

5 FOR the purpose of authorizing ~~a local health department~~ the Baltimore City Health
6 Department to designate certain nonprofit and quasi-governmental entities in
7 Baltimore City to receive certain funds from the Alcohol and Drug Abuse
8 Administration; authorizing ~~a local health department~~ the Baltimore City
9 Health Department to revoke its designation of a nonprofit or
10 quasi-governmental entity except in certain circumstances; requiring the
11 Administration to disburse certain funds directly to certain nonprofit or
12 quasi-governmental entities; providing that the Administration shall have a
13 direct relationship with certain nonprofit or quasi-governmental entities;
14 providing that the Administration shall have certain rights and remedies with
15 certain nonprofit or quasi-governmental entities; defining certain terms; and
16 generally relating to the designation of nonprofit or quasi-governmental

1 entities by ~~local health departments~~ the Baltimore City Health Department.

2 BY adding to

3 Article - Health - General

4 Section 8-901 and 8-902, inclusive, to be under the new subtitle "Subtitle 9.

5 Nonprofit or Quasi-Governmental Organizations"

6 Annotated Code of Maryland

7 (2000 Replacement Volume and 2002 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article - Health - General**

11 **SUBTITLE 9. NONPROFIT OR QUASI-GOVERNMENTAL ORGANIZATIONS.**

12 8-901.

13 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
14 INDICATED.

15 (B) "DESIGNEE" MEANS A NONPROFIT OR QUASI-GOVERNMENTAL ENTITY
16 DESIGNATED BY ~~A LOCAL~~ THE BALTIMORE CITY HEALTH DEPARTMENT TO RECEIVE
17 FUNDS FROM THE ADMINISTRATION TO PLAN, MANAGE, MONITOR, AND DISBURSE
18 FUNDS TO SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAMS.

19 (C) "NONPROFIT ENTITY" MEANS:

20 (1) ~~AN A LAND-BASED~~ ORGANIZATION THAT QUALIFIES UNDER § 501(C)
21 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; OR

22 (2) ANY SIMILAR LAND-BASED ENTITY THAT DOES NOT OPERATE FOR
23 PROFIT.

24 (D) (1) "QUASI-GOVERNMENTAL ENTITY" MEANS ~~AN A LAND-BASED~~
25 ORGANIZATION CREATED BY A UNIT OF GOVERNMENT TO PLAN FOR THE USE OF,
26 MONITOR, DISBURSE, AND MANAGE PUBLIC FUNDS.

27 (2) "QUASI-GOVERNMENTAL ENTITY" INCLUDES BALTIMORE
28 SUBSTANCE ABUSE SYSTEMS, INC.

29 8-902.

30 (A) ~~A LOCAL~~ THE BALTIMORE CITY HEALTH DEPARTMENT MAY DESIGNATE A
31 NONPROFIT OR QUASI-GOVERNMENTAL ENTITY IN BALTIMORE CITY TO RECEIVE
32 FUNDS FROM THE ADMINISTRATION TO PLAN, MANAGE, MONITOR, AND DISBURSE
33 FUNDS TO SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAMS.

1 (B) ~~A LOCAL~~ THE BALTIMORE CITY HEALTH DEPARTMENT MAY REVOKE ITS
2 DESIGNATION OF A NONPROFIT OR QUASI-GOVERNMENTAL ENTITY AT ANY TIME
3 EXCEPT TO THE EXTENT THAT THE ADMINISTRATION, THE DESIGNEE, OR BOTH
4 HAVE ACTED IN RELIANCE ON THE DESIGNATION.

5 (C) IF ~~A LOCAL~~ THE BALTIMORE CITY HEALTH DEPARTMENT DESIGNATES A
6 NONPROFIT OR QUASI-GOVERNMENTAL ENTITY TO RECEIVE FUNDS, THE
7 ADMINISTRATION SHALL DISBURSE FUNDS BUDGETED FOR THE ~~LOCAL~~ BALTIMORE
8 CITY HEALTH DEPARTMENT DIRECTLY TO THE ~~LOCAL HEALTH~~ DEPARTMENT'S
9 DESIGNEE.

10 (D) THE ADMINISTRATION SHALL HAVE A DIRECT RELATIONSHIP WITH THE
11 DESIGNEE.

12 (E) THE ADMINISTRATION SHALL HAVE THE SAME RIGHTS AND REMEDIES
13 WITH THE DESIGNEE AS IT WOULD OTHERWISE HAVE WITH THE ~~LOCAL~~ BALTIMORE
14 CITY HEALTH DEPARTMENT.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2003.