

# HOUSE BILL 358

Q7, B1, P1  
HB 1252/07 – HGO

8lr0507  
CF 8lr0911

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By: **Delegates Miller, Ali, Aumann, Barve, Bates, Beitzel, Bobo, Boteler, Carr, Conway, Costa, DeBoy, Dwyer, Eckardt, Elmore, Feldman, Frank, George, Guzzone, Haddaway, Jennings, Kelly, King, Kipke, Kramer, Krebs, Love, Manno, Mathias, McComas, McConkey, McDonough, McHale, McIntosh, McKee, Morhaim, O'Donnell, Riley, Rudolph, Schuh, Schuler, Shank, Smigiel, Sossi, Stocksdale, F. Turner, Weldon, and Wood**

Introduced and read first time: January 25, 2008  
Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Funding Accountability and Transparency Act of 2008**

3 FOR the purpose of requiring the Department of Budget and Management to develop  
4 and operate a specified website that includes specified information for certain  
5 State financial assistance and expenditures; specifying certain parameters of  
6 the website; authorizing the Secretary of Budget and Management to designate  
7 certain agencies to participate in the development, operation, or support of the  
8 website; authorizing the Secretary to determine the best and most appropriate  
9 data sources for the website; defining certain terms; providing that certain  
10 provisions of law may not be construed to require the disclosure of certain  
11 confidential information; and generally relating to a searchable website to be  
12 developed and operated by the Department of Budget and Management to  
13 provide information to the public on State financial assistance and  
14 expenditures.

15 BY repealing and reenacting, without amendments,  
16 Article – State Finance and Procurement  
17 Section 3–101  
18 Annotated Code of Maryland  
19 (2006 Replacement Volume and 2007 Supplement)

20 BY adding to  
21 Article – State Finance and Procurement  
22 Section 3–207  
23 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2006 Replacement Volume and 2007 Supplement)

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

4 **Article – State Finance and Procurement**

5 **3–101.**

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

7 (b) “Department” means the Department of Budget and Management.

8 (c) “Secretary” means the Secretary of Budget and Management.

9 **3–207.**

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

12 (2) (I) “ENTITY” MEANS, WHETHER FOR PROFIT OR NOT FOR  
13 PROFIT, ANY:

14 1. CORPORATION, ASSOCIATION, PARTNERSHIP,  
15 LIMITED LIABILITY COMPANY, LIMITED LIABILITY PARTNERSHIP, SOLE  
16 PROPRIETORSHIP, OR OTHER LEGAL BUSINESS ENTITY;

17 2. OTHER GRANTEE, CONTRACTOR,  
18 SUBCONTRACTOR, OR SUBGRANTEE; OR

19 3. POLITICAL SUBDIVISION.

20 (II) “ENTITY” DOES NOT INCLUDE AN INDIVIDUAL WHO IS  
21 THE RECIPIENT OF STATE OR FEDERAL ASSISTANCE PAYMENTS OR A STATE  
22 EMPLOYEE WHO IS THE RECIPIENT OF STATE SALARY OR WAGES.

23 (3) “SEARCHABLE WEBSITE” MEANS A WEBSITE THAT ALLOWS  
24 THE PUBLIC TO:

25 (I) SEARCH AND AGGREGATE STATE FUNDING BY ANY  
26 ELEMENT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION;

27 (II) ASCERTAIN THROUGH A SINGLE SEARCH THE TOTAL  
28 AMOUNT OF STATE FUNDING AWARDED TO AN ENTITY BY A STATE AWARD; AND

1 (III) DOWNLOAD DATA THAT RESULTS FROM A SEARCH.

2 (4) (I) "STATE AWARD" MEANS ANY STATE FINANCIAL  
3 ASSISTANCE OR EXPENDITURES OVER THE AMOUNT OF \$25,000, INCLUDING:

4 1. GRANTS, SUBGRANTS, LOANS, AWARDS,  
5 COOPERATIVE AGREEMENTS, AND OTHER FORMS OF FINANCIAL ASSISTANCE;  
6 AND

7 2. CONTRACTS, SUBCONTRACTS, PURCHASE  
8 ORDERS, AND OTHER PAYMENTS.

9 (II) "STATE AWARD" DOES NOT INCLUDE FUNDS  
10 TRANSFERRED FROM ONE AGENCY TO ANOTHER.

11 (B) ON OR BEFORE JANUARY 1, 2009, THE DEPARTMENT SHALL  
12 DEVELOP AND OPERATE A SINGLE, SEARCHABLE WEBSITE, ACCESSIBLE BY THE  
13 PUBLIC AT NO COST, THAT INCLUDES FOR EACH STATE AWARD:

14 (1) THE NAME OF THE ENTITY RECEIVING THE AWARD AND, IF  
15 APPLICABLE, THE PARENT ENTITY OF THE RECIPIENT;

16 (2) THE AMOUNT OF THE AWARD;

17 (3) THE TRANSACTION TYPE;

18 (4) THE NAME OF THE AGENCY MAKING THE AWARD;

19 (5) THE BUDGET PROGRAM FUND SOURCE;

20 (6) A DESCRIPTIVE PURPOSE OF EACH FUNDING ACTION OR  
21 STATE AWARD;

22 (7) THE LOCATION OF THE ENTITY RECEIVING THE AWARD AND  
23 THE PRIMARY LOCATION OF PERFORMANCE UNDER THE AWARD; AND

24 (8) ANY OTHER RELEVANT INFORMATION SPECIFIED BY THE  
25 DEPARTMENT.

26 (C) THE SINGLE WEBSITE PROVIDED FOR IN SUBSECTION (B) OF THIS  
27 SECTION SHALL ALLOW THE USER TO:

28 (1) SEARCH DATA FOR FISCAL YEAR 2009 AND EACH FISCAL YEAR  
29 THEREAFTER;

1                   (2)    SEARCH ELECTRONICALLY BY FIELD IN A SINGLE SEARCH;  
2    AND

3                   (3)    PROVIDE INPUT REGARDING THE UTILITY OF THE SITE AND  
4    RECOMMENDATIONS FOR IMPROVEMENT.

5           (D)    THE SECRETARY MAY:

6                   (1)    DESIGNATE ONE OR MORE STATE AGENCIES TO PARTICIPATE  
7    IN THE DEVELOPMENT, OPERATION, OR SUPPORT OF THE SINGLE WEBSITE AND  
8    SPECIFY THE SCOPE OF RESPONSIBILITIES OF THOSE AGENCIES; AND

9                   (2)    DETERMINE THE BEST AND MOST APPROPRIATE DATA  
10   SOURCE OR SOURCES FOR DEVELOPMENT AND OPERATION OF THE SINGLE  
11   WEBSITE.

12           (E)    STATE AGENCIES SHALL:

13                   (1)    COMPLY WITH THE PROVISIONS OF SUBSECTION (D) OF THIS  
14   SECTION; AND

15                   (2)    PROVIDE APPROPRIATE ASSISTANCE TO THE SECRETARY TO  
16   ENSURE THE EXISTENCE AND ONGOING OPERATION OF THE SINGLE WEBSITE.

17           (F)    THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE  
18   DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL UNDER STATE OR  
19   FEDERAL LAW.

20           (G)    THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE  
21   “MARYLAND FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2008”.

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23   October 1, 2008.