

HOUSE BILL 1104

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CF SB 936

By: **Delegates Ali, Taylor, Barkley, Kaiser, Montgomery, and Reznik**

Introduced and read first time: February 17, 2010

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Montgomery County – Muslim Community Center**
3 **Youth Multipurpose Facility**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000,
5 the proceeds to be used as a grant to the Board of Directors and the Board of
6 Trustees of the Muslim Community Center, Inc. for certain development or
7 improvement purposes; providing for disbursement of the loan proceeds, subject
8 to a requirement that the grantee provide and expend a matching fund;
9 prohibiting the use of the loan proceeds or matching funds for sectarian
10 religious purposes; establishing a deadline for the encumbrance or expenditure
11 of the loan proceeds; and providing generally for the issuance and sale of bonds
12 evidencing the loan.

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That:

15 (1) The Board of Public Works may borrow money and incur indebtedness on
16 behalf of the State of Maryland through a State loan to be known as the Montgomery
17 County – Muslim Community Center Youth Multipurpose Facility Loan of 2010 in a
18 total principal amount equal to the lesser of (i) \$200,000 or (ii) the amount of the
19 matching fund provided in accordance with Section 1(5) below. This loan shall be
20 evidenced by the issuance, sale, and delivery of State general obligation bonds
21 authorized by a resolution of the Board of Public Works and issued, sold, and delivered
22 in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement
23 Article and Article 31, § 22 of the Code.

24 (2) The bonds to evidence this loan or installments of this loan may be sold
25 as a single issue or may be consolidated and sold as part of a single issue of bonds
26 under § 8–122 of the State Finance and Procurement Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
2 and first shall be applied to the payment of the expenses of issuing, selling, and
3 delivering the bonds, unless funds for this purpose are otherwise provided, and then
4 shall be credited on the books of the Comptroller and expended, on approval by the
5 Board of Public Works, for the following public purposes, including any applicable
6 architects' and engineers' fees: as a grant to the Board of Directors and the Board of
7 Trustees of the Muslim Community Center, Inc. (referred to hereafter in this Act as
8 "the grantee") for the acquisition, planning, design, construction, renovation, and
9 capital equipping of the Muslim Community Center Youth Multipurpose Facility,
10 located in Silver Spring.

11 (4) An annual State tax is imposed on all assessable property in the State in
12 rate and amount sufficient to pay the principal of and interest on the bonds, as and
13 when due and until paid in full. The principal shall be discharged within 15 years
14 after the date of issuance of the bonds.

15 (5) Prior to the payment of any funds under the provisions of this Act for the
16 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
17 matching fund. No part of the grantee's matching fund may be provided, either
18 directly or indirectly, from funds of the State, whether appropriated or
19 unappropriated. The fund may consist of real property, in kind contributions, or funds
20 expended prior to the effective date of this Act. In case of any dispute as to the amount
21 of the matching fund or what money or assets may qualify as matching funds, the
22 Board of Public Works shall determine the matter and the Board's decision is final.
23 The grantee has until June 1, 2012, to present evidence satisfactory to the Board of
24 Public Works that a matching fund will be provided. If satisfactory evidence is
25 presented, the Board shall certify this fact and the amount of the matching fund to the
26 State Treasurer, and the proceeds of the loan equal to the amount of the matching
27 fund shall be expended for the purposes provided in this Act. Any amount of the loan
28 in excess of the amount of the matching fund certified by the Board of Public Works
29 shall be canceled and be of no further effect.

30 (6) No portion of the proceeds of the loan or any of the matching funds may
31 be used for the furtherance of sectarian religious instruction, or in connection with the
32 design, acquisition, or construction of any building used or to be used as a place of
33 sectarian religious worship or instruction, or in connection with any program or
34 department of divinity for any religious denomination. Upon the request of the Board
35 of Public Works, the grantee shall submit evidence satisfactory to the Board that none
36 of the proceeds of the loan or any matching funds have been or are being used for a
37 purpose prohibited by this Act.

38 (7) The proceeds of the loan must be expended or encumbered by the Board
39 of Public Works for the purposes provided in this Act no later than June 1, 2017. If any
40 funds authorized by this Act remain unexpended or unencumbered after June 1, 2017,
41 the amount of the unencumbered or unexpended authorization shall be canceled and
42 be of no further effect. If bonds have been issued for the loan, the amount of
43 unexpended or unencumbered bond proceeds shall be disposed of as provided in
44 § 8-129 of the State Finance and Procurement Article.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 June 1, 2010.