

HOUSE BILL 331

M1

EMERGENCY BILL

6lr1632

By: **Delegate Stein**

Introduced and read first time: January 27, 2016

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Program Open Space – Funding for Capital Improvements**

3 FOR the purpose of altering the funds under Program Open Space that are authorized to
4 be used for certain capital improvements under certain circumstances; making this
5 Act an emergency measure; and generally relating to funding for capital
6 improvements under Program Open Space.

7 BY repealing and reenacting, with amendments,
8 Article – Natural Resources
9 Section 5–903(g)(1)
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2015 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Tax – Property
14 Section 13–209(d)
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2015 Supplement)

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

19 **Article – Natural Resources**

20 5–903.

21 (g) (1) Any amount appropriated in the State budget, and for each subsequent
22 fiscal year, up to 25 percent of the State’s share of funds that would be available under the
23 program if 100 percent of the funds not required under § 13–209(b) of the Tax – Property
24 Article were available for distribution as provided in § [13–209(d)(3)] **13–209(D)** of the Tax

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 – Property Article may be used for capital improvements on land owned by the State for
2 the use of the Department, the Maryland Historical Trust for museums operated by the
3 Trust, or the Historic St. Mary’s Commission, if the improvements are:

4 (i) Approved in the State budget; and

5 (ii) Compatible with:

6 1. Any master plan developed for the land; and

7 2. The natural features of the land.

8 **Article – Tax – Property**

9 13–209.

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

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

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

18 (2) 17.05% for the Agricultural Land Preservation Fund established under
19 § 2–505 of the Agriculture Article;

20 (3) 5% for the Rural Legacy Program established under § 5–9A–01 of the
21 Natural Resources Article; and

22 (4) 1.8% for the Heritage Conservation Fund established under § 5–1501
23 of the Natural Resources Article.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
25 measure, is necessary for the immediate preservation of the public health or safety, has
26 been passed by a ye and nay vote supported by three–fifths of all the members elected to
27 each of the two Houses of the General Assembly, and shall take effect from the date it is
28 enacted.