

HOUSE BILL 331

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EMERGENCY BILL

6lr1632

By: **Delegate Stein**

Introduced and read first time: January 27, 2016

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 1, 2016

CHAPTER _____

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (g) (1) Any amount appropriated in the State budget, and for each subsequent
 2 fiscal year, up to 25 percent of the State's share of funds that would be available under the
 3 program if 100 percent of the funds not required under § 13-209(b) of the Tax – Property
 4 Article were available for distribution as provided in § [13-209(d)(3)] **13-209(D)** of the Tax
 5 – Property Article may be used for capital improvements on land owned by the State for
 6 the use of the Department, the Maryland Historical Trust for museums operated by the
 7 Trust, or the Historic St. Mary's Commission, if the improvements are:

8 (i) Approved in the State budget; and

9 (ii) Compatible with:

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

11 2. The natural features of the land.

12 **Article – Tax – Property**

13 13-209.

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

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

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

22 (2) 17.05% for the Agricultural Land Preservation Fund established under
 23 § 2-505 of the Agriculture Article;

24 (3) 5% for the Rural Legacy Program established under § 5-9A-01 of the
 25 Natural Resources Article; and

26 (4) 1.8% for the Heritage Conservation Fund established under § 5-1501
 27 of the Natural Resources Article.

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