

HOUSE BILL 449

B1, P5

6lr0167
CF SB 375

By: **The Speaker (By Request – Administration) and Delegates Adams, Afzali, Arentz, Aumann, Beitzel, Buckel, Carozza, Cassilly, Ciliberti, Cluster, Fisher, Flanagan, Folden, Ghrist, Glass, Grammer, Hornberger, S. Howard, Impallaria, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McConkey, McDonough, McKay, McMillan, Metzgar, Miele, Morgan, O'Donnell, Otto, Parrott, Reilly, Rey, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, West, B. Wilson, and Wivell**

Introduced and read first time: January 29, 2016

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Relief From Budget Mandates**

3 FOR the purpose of providing that, beginning with a certain fiscal year, the Governor,
4 under certain circumstances, is not required to include an appropriation in the
5 budget for any program or item in an amount that exceeds the appropriation for the
6 program or item in a certain fiscal year; providing for certain exceptions; providing
7 that the General Assembly may not enact certain legislation that creates a certain
8 mandated level of funding except under certain circumstances; and generally
9 relating to mandated funding for certain programs or items in the State budget.

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 That, notwithstanding any provision of law that requires the Governor to include a certain
12 level of funding in the annual budget bill for a specific program or item, and
13 notwithstanding any other provision of law, beginning with fiscal year 2019:

14 (a) Except as provided in subsection (b) of this section, the Governor is not
15 required to include an appropriation in the budget for any program or item in an amount
16 that exceeds the fiscal year 2018 appropriation for that item or program as approved in the
17 State budget for fiscal year 2018 as enacted by the General Assembly.

18 (b) Subsection (a) of this section does not apply to:

19 (1) funding required for State aid to public elementary and secondary
20 education as provided under Title 5, Subtitle 2 or § 4–121, § 4–122, § 6–306, § 8–310.3, §
21 8–317, or § 8–415 of the Education Article;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) the State's employer contribution to the State Retirement and Pension
2 System required under § 21-308 of the State Personnel and Pensions Article;

3 (3) any appropriation required to be made to the Revenue Stabilization
4 Account of the State Reserve Fund under § 7-311 of the State Finance and Procurement
5 Article; or

6 (4) any appropriation required for the payment of principal or interest on
7 State debt.

8 (c) Subsection (a) of this section does not apply if the revised estimate of total
9 General Fund revenues for the fiscal year in which the budget bill is being prepared, as
10 reflected in the report of estimated State revenues submitted by the Board of Revenue
11 Estimates to the Governor under § 6-106(b) of the State Finance and Procurement Article,
12 in December of that fiscal year exceeds the estimate for the prior December, adjusted for
13 tax law changes, by more than 2%.

14 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly may
15 not enact legislation that creates a new required level of funding in the annual budget bill
16 for a future fiscal year for a specific program or item or increases a required level of funding
17 in the annual budget bill for a future fiscal year for a specific program or item unless it also
18 enacts legislation at that same session that reduces or repeals an equivalent amount of
19 required funding for the same fiscal year.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
21 1, 2016.