

SENATE BILL 377

C7, Q7

6lr0141
CF HB 451

By: **The President (By Request – Administration)**

Introduced and read first time: January 28, 2016

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 2016

CHAPTER _____

1 AN ACT concerning

2 **Admissions and Amusement Tax – Revenue Distribution – Maryland State Arts**
3 **Council**

4 FOR the purpose of altering a certain distribution of revenue from the State admissions
5 and amusement tax on electronic bingo and electronic tip jars; ~~repealing a certain~~
6 ~~special fund~~; providing that the Maryland State Arts Council is entitled to certain
7 revenue distributed from the State admissions and amusement tax on electronic
8 bingo and electronic tip jars; requiring that certain funds distributed to the Council
9 be included in the Council's prior fiscal year appropriation for purposes of a certain
10 calculation; and generally relating to the distribution of revenue from the State
11 admissions and amusement tax on electronic bingo and electronic tip jars.

12 ~~BY repealing~~

13 ~~Article – Economic Development~~

14 ~~Section 4–801 and the subtitle “Subtitle 8. Special Fund for Preservation of Cultural~~
15 ~~Arts in Maryland”~~

16 ~~Annotated Code of Maryland~~

17 ~~(2008 Volume and 2015 Supplement)~~

18 BY repealing and reenacting, without amendments,

19 Article – Economic Development

20 Section 4–501(a) and (c)

21 Annotated Code of Maryland

22 (2008 Volume and 2015 Supplement)

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 BY repealing and reenacting, with amendments,
 2 Article – Economic Development
 3 Section 4–512(a) and 4–801
 4 Annotated Code of Maryland
 5 (2008 Volume and 2015 Supplement)

6 BY repealing and reenacting, with amendments,
 7 Article – Tax – General
 8 Section 2–202(a)(1)
 9 Annotated Code of Maryland
 10 (2010 Replacement Volume and 2015 Supplement)

11 BY repealing and reenacting, without amendments,
 12 Article – State Finance and Procurement
 13 Section 7–325(a)(2)
 14 Annotated Code of Maryland
 15 (2015 Replacement Volume)

16 ~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,~~
 17 ~~That Section(s) 4–801 and the subtitle “Subtitle 8. Special Fund for Preservation of~~
 18 ~~Cultural Arts in Maryland” of Article – Economic Development of the Annotated Code of~~
 19 ~~Maryland be repealed.~~

20 SECTION ~~2.~~ 1. AND IT BE FURTHER ENACTED BE IT ENACTED BY THE
 21 GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

22 Article – Economic Development

23 4–501.

24 (a) In this subtitle the following words have the meanings indicated.

25 (c) “Council” means the Maryland State Arts Council.

26 4–512.

27 (a) The Council is entitled to:

28 (1) REVENUE DISTRIBUTED UNDER ~~§ 2–202(A)(1)(II)~~ §
 29 2–202(A)(1)(II)2 OF THE TAX – GENERAL ARTICLE; AND

30 (2) funding in accordance with the State budget.

31 4–801.

32 (a) In this section, “Fund” means the Special Fund for Preservation of Cultural
 33 Arts in Maryland.

1 2–202.

2 (a) After making the distribution required under § 2–201 of this subtitle, within
3 20 days after the end of each quarter, the Comptroller shall distribute:

4 (1) except as provided in subsection (b) of this section, from the revenue
5 from the State admissions and amusement tax on electronic bingo and electronic tip jars
6 under § 4–102(e) of this article:

7 (i) 1. for fiscal years 2016 through 2021, the revenue
8 attributable to a tax rate of 20% to the Maryland E–Nnovation Initiative Fund under §
9 6–604 of the Economic Development Article;

10 2. in fiscal year 2022 and in each fiscal year thereafter, the
11 revenue attributable to a tax rate of 20% to the General Fund of the State; and

12 (ii) the revenue attributable to a tax rate of 5% **AS FOLLOWS:**

13 **1. \$1,000,000** to the ~~§~~Special Fund for Preservation of
14 Cultural Arts in Maryland, as provided in § 4–801 of the Economic Development Article~~;~~
15 **AND**

16 **2. THE REMAINDER TO THE MARYLAND STATE ARTS**
17 **COUNCIL, AS PROVIDED IN § 4–512 OF THE ECONOMIC DEVELOPMENT ARTICLE;**
18 and

19 **Article – State Finance and Procurement**

20 7–325.

21 (a) (2) For fiscal year 2013 and each fiscal year thereafter, the Governor shall
22 include in the annual budget bill submitted to the General Assembly a General Fund
23 appropriation for the Maryland State Arts Council in an amount not less than the amount
24 of the General Fund appropriation for the Council as approved in the State budget as
25 enacted by the General Assembly for the prior fiscal year, increased by not less than the
26 percentage by which the projected total General Fund revenues for the upcoming fiscal year
27 exceed the revised estimate of total General Fund revenues for the current fiscal year, as
28 contained in the report of estimated State revenues submitted by the Board of Revenue
29 Estimates to the Governor under § 6–106(b) of this article.

30 SECTION 2. AND BE IT FURTHER ENACTED, That any funds distributed to the
31 Maryland State Arts Council in accordance with § 2–202 of the Tax – General Article as
32 enacted in this Act shall be included in the Maryland State Arts Council’s prior fiscal year
33 appropriation for purposes of calculating the required appropriation under § 7–325 of the
34 State Finance and Procurement Article.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.