

HB0848/167878/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 848  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “relating” in line 42 down through “agencies” in line 43.

AMENDMENT NO. 2

On pages 35 and 36, strike in their entirety the lines beginning with line 1 on page 35 through line 18 on page 36, inclusive, and substitute:

“(a) There is a Nondepository Special Fund that consists of:

(1) Revenue received for the licensing of individuals under this subtitle;

**(2) REVENUE RECEIVED FOR THE LICENSING OF PERSONS UNDER  
SUBTITLE 2 OF THIS TITLE;**

**(3) REVENUE RECEIVED FOR THE LICENSING OF PERSONS UNDER  
SUBTITLE 3 OF THIS TITLE;**

**(4) REVENUE RECEIVED FOR THE LICENSING OF PERSONS UNDER  
SUBTITLE 4 OF THIS TITLE;**

**[(2)] (5) Revenue received for the licensing of persons under Subtitle  
5 of this title;**

**(6) REVENUE RECEIVED FOR THE LICENSING OF PERSONS UNDER  
TITLE 12, SUBTITLE 1 OF THIS ARTICLE;**

(Over)

[(3)] (7)      Revenue received for the licensing of persons under Title 12, Subtitle 4 of this article;

[(4)] (8)      Revenue received for the licensing of persons under Title 12, Subtitle 9 of this article;

[(5)] (9)      Revenue received for the registration of persons under Title 12, Subtitle 10 of this article;

**(10) REVENUE RECEIVED FOR THE LICENSING OF PERSONS UNDER TITLE 7 OF THE BUSINESS REGULATION ARTICLE;**

**(11) REVENUE RECEIVED FOR THE LICENSING OF PERSONS UNDER TITLE 14, SUBTITLE 19 OF THE COMMERCIAL LAW ARTICLE;**

[(6)] (12)      Income from the investments that the State Treasurer makes for the Fund; and

[(7)] (13)      **(I) Any other fee, examination OR INVESTIGATION FEE OR assessment, or revenue received by the Commissioner under this subtitle, [Subtitle] SUBTITLES 2, 3, 4, AND 5 of this title, [and] Title 12, Subtitles 1, 4, 9, and 10 of this article, AND TITLE 14, SUBTITLES 12 AND 19 OF THE COMMERCIAL LAW ARTICLE; AND**

**(II) ANY OTHER FEE OR REVENUE RECEIVED BY THE STATE COLLECTION AGENCY LICENSING BOARD UNDER TITLE 7 OF THE BUSINESS REGULATION ARTICLE.**

(b)      Notwithstanding subsection (a) of this section[, the]:

(1) THE Commissioner shall pay all fines and penalties collected by the Commissioner under TITLE 2, SUBTITLE 1 OF THIS ARTICLE, this subtitle, [Subtitle] SUBTITLES 2, 3, 4, AND 5 of this title, [and] Title 12, Subtitles 1, 4, 9, and 10 of this article, AND TITLE 14, SUBTITLES 12 AND 19 OF THE COMMERCIAL LAW ARTICLE into the General Fund of the State; AND

(2) THE STATE COLLECTION AGENCY LICENSING BOARD SHALL PAY ALL FINES AND PENALTIES COLLECTED BY THE BOARD UNDER TITLE 7 OF THE BUSINESS REGULATION ARTICLE INTO THE GENERAL FUND OF THE STATE.

(c) The purpose of the Fund is to cover the direct and indirect costs of fulfilling the statutory and regulatory duties of the Commissioner AND THE STATE COLLECTION AGENCY LICENSING BOARD related to:

(1) TITLE 2, SUBTITLE 1 OF THIS ARTICLE;

(2) This subtitle;

(3) SUBTITLE 2 OF THIS TITLE;

(4) SUBTITLE 3 OF THIS TITLE;

(5) SUBTITLE 4 OF THIS TITLE;

~~[(2)] (6) Subtitle 5 of this title;~~

(7) TITLE 12, SUBTITLE 1 OF THIS ARTICLE;

~~[(3)] (8) Title 12, Subtitle 4 of this article;~~

~~[(4)] (9)~~ Title 12, Subtitle 9 of this article;

~~[(5)] (10)~~ Title 12, Subtitle 10 of this article; [and]

~~(11)~~ TITLE 7 OF THE BUSINESS REGULATION ARTICLE;

~~(12)~~ TITLE 12, SUBTITLES 5, 6, 9, AND 10 OF THE COMMERCIAL LAW ARTICLE;

~~(13)~~ TITLE 14, SUBTITLES 12 AND 19 OF THE COMMERCIAL LAW ARTICLE;

~~(14)~~ TITLE 7, SUBTITLES 1, 3, 4, AND 5 OF THE REAL PROPERTY ARTICLE; AND

~~[(6)] (15)~~ Any other expense authorized in the State budget.

~~(d)~~ ~~(1)~~ The annual State budget shall include the costs and expenses of the Commissioner AND THE STATE COLLECTION AGENCY LICENSING BOARD relating to [the regulation of mortgage lending, mortgage origination, money transmission, debt management services, and debt settlement services] SUBSECTION (C) OF THIS SECTION.

~~(2)~~ Any expenditures from the Fund to cover costs and expenses of the Commissioner AND THE STATE COLLECTION AGENCY LICENSING BOARD RELATING TO SUBSECTION (C) OF THIS SECTION may be made only:

~~(i)~~ With an appropriation from the Fund approved by the General Assembly in the annual State budget; or

(ii) By the budget amendment procedure provided for in § 7-209 of the State Finance and Procurement Article.

(3) If, in any fiscal year, the amount of the revenue collected by the Commissioner AND THE STATE COLLECTION AGENCY LICENSING BOARD and deposited into the Fund exceeds the actual appropriation for the Commissioner [to regulate mortgage lending under Subtitle 5 of this title; mortgage origination under this subtitle; money transmission under Title 12, Subtitle 4 of this article; debt management services under Title 12, Subtitle 9 of this article; and debt settlement services under Title 12, Subtitle 10 of this article.] AND THE STATE COLLECTION AGENCY LICENSING BOARD UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION, the excess amount shall be carried forward within the Fund.”.